

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

MARCH 8, 2022

PAGE ITEM

70 7A-1 **ADD-ON: Staff recommends motion to appoint:** one individual to the Health Care District of Palm Beach County for a four year term beginning March 8, 2022 and ending September 30, 2025:

<u>Appoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Dr. Teresa Johnson	1	Elected Official in PBC	Comm. Bernard
<u>OR</u>			
Erica Whitfield	1	Elected Official in PBC	Comm. Kerner Comm. McKinlay Comm. Marino Mayor Weinroth Comm. Sachs

SUMMARY: Per Chapter 2003-326, Laws of Florida, the Health Care District of Palm Beach County is comprised of seven members. The appointing authority shall consider the diverse geographic areas of Palm Beach County in selecting individuals to serve on the Health Care District of Palm Beach County, and at least one person, but not more than two shall reside in the Glades Area. The Governor shall appoint three members; the Board of County Commissioners shall appoint three members, one of which must be an elected official at the time of appointment; and one member shall be the Director of the Palm Beach County Health Department. Members may serve two, four-year terms. The Seat No. 1 term will be begin upon appointment of the BCC, March 8, 2022 and end September 30, 2025. Cory Neering, former West Palm Beach City Commissioner, most recently filled the seat. Mr. Neering did not seek reelection to the City Commission and was not eligible for appointment since the seat qualification requires one to be an elected official at the time of appointment. Dr. Teresa Johnson currently serves as a member of the Town of Haverhill City Commission; Erica Whitfield currently serves as a member of the School Board of Palm Beach County. The diversity of the Palm Beach County appointed representatives to the Board include one Caucasian male and one African-American female. The other appointees to the board include two Caucasian male, one Hispanic-American female and one Caucasian female.
Countywide (HH) (Admin)

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**

MARCH 8, 2022

**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 10-59)**
- 4. SPECIAL PRESENTATIONS (Page 60)**
- 5. REGULAR AGENDA (Pages 61-68)**
- 6. BOARD OF COUNTY COMMISSIONERS SITTING AS THE ENVIRONMENTAL CONTROL BOARD (Page 69)**
- 7. BOARD APPOINTMENTS (Page 70)**
- 8. STAFF COMMENTS (Page 71)**
- 9. BCC COMMENTS (Page 72)**
- 10. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 73)**
- 11. ADJOURNMENT (Page 74)**

TABLE OF CONTENTS

CONSENT AGENDA

A. ADMINISTRATION

Page 10

- 3A-1 Ratify appointment to the Treasure Coast Regional Planning Council
- 3A-2 Appointment to the Florida Atlantic Research & Development Authority

Page 11

- 3A-3 Golf Tournament Agreement with Trump International Golf Club, L.C. and the Jupiter Children's Foundation for a charitable golf tournament

B. CLERK & COMPTROLLER

Page 11

- 3B-1 Warrant list
- 3B-2 Receive and file list of finance department records, which are scheduled for destruction
- 3B-3 Contracts and claims settlements list
- 3B-4 Change orders, work task orders, minor contracts, final payments, etc.

C. ENGINEERING & PUBLIC WORKS

Page 12

- 3C-1 Receive and file Grant Supplemental Agreement with the Florida Department of Transportation for the SR-7 at Weisman Way intersection improvements project
- 3C-2 Work order to contract with Ranger Construction Industries, Inc. to mill and resurface Belvedere Road from Jog Road to Haverhill Road

Page 13

- 3C-3 Work order to contract with M&M Asphalt Maintenance, Inc. to mill and resurface 10th Avenue North from Pinehurst Drive to Haverhill Road
- 3C-4 Consultant Service Authorization to contract with Mehta and Associates, Inc. for the Wabasso Drive over the Lake Worth Drainage District Later 2 Canal project

D. COUNTY ATTORNEY

Page 13

- 3D-1 Settlement agreement with Theresa Hunter

Page 14

- 3D-2 Amendment to contract with Manson Bolves Donaldson Varn, P.A. for professional legal services

E. COMMUNITY SERVICES

Page 15

- 3E-1 Appointments to the Farmworker Program Advisory Board

Page 16

- 3E-2 Use of Facility Agreement with the Rainbow Housing Assistance Corporation to provide a congregate meal site at the St. Andrews Residence

TABLE OF CONTENTS

CONSENT AGENDA

E. COMMUNITY SERVICES (Cont'd)

Page 17

3E-3 Affiliation agreement with Keith & Associates Inc., Distance Dietetic Internship for a student dietitian internship

3E-4 Ratify the Mayor's signature on the Emergency Rental Assistance Program 1 Request for Reallocated Fund to provide emergency rental and utility assistance

Page 18

3E-5 Receive and file the Agency for Health Care Administration Health Care Licensing Applications for the North County and Mid-County Adult Day Care Center licenses

Page 19

3E-6 Subrecipient agreement with The Salvation Army for provision of rapid re-housing services

Page 20

3E-7 Receive and file contract with Rebel Recovery Florida, Inc. for services to homeless individuals due to COVID-19

Page 21

3E-8 Agreement with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. for in-home and community base services to seniors

Page 22

3E-9 Appointment to the Palm Beach County HIV Comprehensive AIDS Resources Emergency Council

F. AIRPORTS

Page 22

3F-1 Receive and file amendment to Non-signatory Airline Agreement with Allegiant Air LLC

Page 23

3F-2 Receive and file amendment to extension of the Public Transportation Grant Agreement with the Florida Department of Transportation for the public address system replacement at PBI

3F-3 Receive and file Federal Aviation Administration Grant Agreement for Airport Rescue Grant at PBI

Page 24

3F-4 Receive and file Federal Aviation Administration Grant Agreement for Airport Rescue Grant at the North Palm Beach County General Aviation Airport

3F-5 Receive and file Federal Aviation Administration Grant Agreement for Airport Rescue Grant at the Palm Beach County Park Airport

Page 26

3F-6 Receive and file Federal Aviation Administration Grant Agreement for Airport Rescue Grant at the Palm Beach County Glades Airport

3F-7 Resolution establishing a standard form Non-commercial Self-Service Fueling Permit for PBI

TABLE OF CONTENTS

CONSENT AGENDA

F. AIRPORTS (Cont'd)

Page 26

3F-8 Receive and file Public Transportation Grant Agreement with the Florida Department of Transportation for the Southside Redevelopment Project – Phases 3 and 4 at Palm Beach County Park Airport

3F-9 Interlocal agreement with the Village of Royal Palm Beach regarding airport zoning regulations

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

Page 27

3G-1 Receive and file annual report for the fiscal year ending September 30, 2021 from the Boynton Beach Community Redevelopment Agency

3G-2 Change from the previously approved categories to the revenue replacement category within the American Rescue Plan Act

H. FACILITIES DEVELOPMENT & OPERATIONS

Page 28

3H-1 Receive and file license agreement for use of county-owned property to the County Stockade

3H-2 Appointment to the Public Art Committee

Page 29

3H-3 Work order to contract with Florida Mechanical LLC for the C.L. Brumback Health Center-Chiller Replacement project

Page 30

3H-4 Receive and file change order to amendment to contract with Robling Architecture Construction, Inc. for the Convention Center Sky-Room project

Page 31

3H-5 Contract with KGW Enterprises, Inc. for plumbing services

Page 32

3H-6 Contract with Garabar, Inc. for roofing services

Page 33

3H-7 Contract with Air Handlers of the Palm Beaches, Inc. for Heating, Ventilation and Air Conditioning services

Page 34

3H-8 Contract with Glades Roofing, LLC for general minor construction services

Pages 35-36

3H-9 Contract with Garabar, Inc. for painting and weatherproofing services and increase in maximum dollar value of painting and weatherproofing contracts

Page 37

3H-10 Contracts with two contractors for the Fire Station Capital Improvements Program - Renovations

Page 38

3H-11 Receive and file license agreement with the Friends of the Mounts Botanical Garden, Inc. for the Garden of Lights event

TABLE OF CONTENTS

CONSENT AGENDA

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

- Page 38
3H-12 Amendment to Interlocal Agreement with the Town of Lake Park and the Palm Beach County Sheriff's Office to provide fuel services
- Page 39
3H-13 Interlocal Agreement with the State of Florida, State Attorney's Office, 15th Judicial Circuit for fleet management services
- Page 40
3H-14 Consultant Services Authorization to contract with Song & Associates, Inc. for the Mosquito Control Division Compound project
- Page 41
3H-15 Work order to contract with Door Systems of South Florida, Inc. for the Palm Beach County Convention Center – Exhibit Hall Door Reconditioning project
- Page 42
3H-16 Agreement with Social Space, LLC for installation of "VOTE!" sculpture

I. HOUSING AND ECONOMIC DEVELOPMENT

- Page 43
3I-1 Certification by State or Local Official of Pahokee Housing Authority Plans Consistency with the Consolidated Plan
- 3I-2 Receive and file loan agreement with New Urban Community Development Corporation, Inc.
- Page 44
3I-3 Receive and file documents in connection with a loan to Jem Farms, Inc. under the United States Department of Agriculture Intermediary Relending Program

K. WATER UTILITIES

- Page 45
3K-1 Consultant Services Authorization to contract with Mock, Roos & Associates, Inc. for Lift Station Rehabilitation
- Page 46
3K-2 Receive and file Standard Water and Wastewater Development Agreements
- Page 47
3K-3 Emergency extension to contract with Aquifer Maintenance and Performance Systems, Inc. for system-wide wellfield maintenance
- Page 48
3K-4 Consultant Services Authorization to contract with Chen Moore and Associates, Inc. for the Lift Station Rehabilitation Priority Work Phase 2

TABLE OF CONTENTS

CONSENT AGENDA

L. ENVIRONMENTAL RESOURCES MANAGEMENT

Page 49
3L-1 Appointments to the Groundwater and Natural Resources Protection Board

Page 50
3L-2 Receive and file change order to contract with the Florida Fish and Wildlife Conservation Commission for aquatic vegetation control for various lakes
3L-3 Receive and file amendment to Memorandum of Agreement with Marine Industries Association of palm Beach County, Inc. for the Lake Worth Inlet Flood Shoal Dredging Project

Page 51
3L-4 Receive and file amendment to agreement with the Florida Department of Environmental Protection for the South Jupiter Hurricane Irma Recovery project

Page 52
3L-5 Receive and file Florida Inland Navigation District Project Agreement for the South Lake Worth Inlet Sand Trap and Boat Channel Dredging project

Page 53
3L-6 Receive and file Annual Certified Budget for Mosquito Control for with the Florida Department of Agriculture and Consumer Services

M. PARKS & RECREATION

Page 53
3M-1 Receive and file Entertainment Contractor Agreement with Mary Washington-Brooks

Page 54
3M-2 Budget transfer for the West Delray Regional Parking Expansion project

S. FIRE RESCUE

Page 54
3S-1 Receive and file Emergency Triage, Treat, and Transport Model Annual Certification form to the Centers for Medicare & Medicaid Services

Page 55
3S-2 Ratify the FY 2021 Staffing for Adequate Fire and Emergency Response grant application to the U.S. Department of Homeland Security's Federal Emergency Management Agency

U. INFORMATION SYSTEMS SERVICES

Page 55
3U-1 Amendment to Interlocal Agreement with the City of Greenacres for additional phone services

TABLE OF CONTENTS

CONSENT AGENDA

X. PUBLIC SAFETY

Page 56

- 3X-1 Resolution authorizing the County Administrator or designee to sign the FY 2021-2022 annual Emergency Medical Services application
- 3X-2 Amendment to contract with Phamatech, Inc. to provide drug testing for indigent pretrial defendants

Page 57

- 3X-3 Receive and file amendment to purchase order with the Florida Department of Corrections for adult reentry services

AA. PALM TRAN

Page 58

- 3AA-1 Terms of Payment Processing Services Agreement with Genfare

BB. YOUTH SERVICES

Page 58

- 3BB-1 Receive and file Agency Affiliation Agreement with Nova Southeastern University, Inc. for supervised clinical experiences

CC. TOURIST DEVELOPMENT COUNCIL

Page 59

- 3CC-1 Receive and file FY2022 grant agreement with Equestrian Sport Productions, LLC for promotion of the Winter Equestrian Festival

DD. COMMISSION ON ETHICS

Page 59

- 3DD-1 Appointment to the Commission on Ethics Review Committee

SPECIAL PRESENTATIONS

Page 60

- 4A Florida Bicycle Month
- 4B Flood Awareness Week
- 4C Certificate of Commendation in honor of Irwin Lebow
- 4D Sexual Assault Awareness Month
- 4E Government Finance Professionals Week
- 4F Rita Thrasher Month
- 4G Certificate of Recognition to Yolette Bonnet

TABLE OF CONTENTS

REGULAR AGENDA

A. COUNTY ATTORNEY

Page 61

5A-1 Private attorney-client session

Page 62

5A-2 Addition of litigation section positions

B. OFFICE OF RESILIENCE

Page 63

5B-1 Department of Economic Opportunity's Rebuild Florida General Planning Support Program's Community Development Block Grant Mitigation Program Standard Grant Agreement to create a Vulnerability Assessment and Resilience Action Plan

C. ENGINEERING & PUBLIC WORKS

Page 64

5C-1 Purchase and sale agreement with the property owner at 9363 Old Dixie Highway, Lake Park for the construction of Congress Avenue Extension from north of Northlake Boulevard to Alternate A1A project

D. AIRPORTS

Page 65

5D-1 Contract with Alen Construction Group, Inc. for the 400 Hz Ground Power Unites Point of Use project at PBI

E. HOUSING AND ECONOMIC DEVELOPMENT

Page 66

5E-1 Impact Fee Affordable Housing Assistance Program award to LandTrust Holdings, LLC for the Major Drive project

F. PUBLIC SAFETY

Page 67

5F-1 Interlocal agreement with the School Board of Palm Beach County, Florida for acceptance of grant funds under the Driver Education Safety Trust Fund Grant program

G. PLANNING, ZONING & BUILDING

Page 68

5G-1 Ordinance amending the Mortgage Foreclosure Registration ordinance

MARCH 8, 2022

TABLE OF CONTENTS

REGULAR AGENDA

BOARD OF COUNTY COMMISSIONERS SITTING AS THE ENVIRONMENTAL CONTROL BOARD

Page 69

6A-1 Ordinance amending the Palm Beach County Environmental Control ordinance

BOARD APPOINTMENTS (Page 70)

STAFF COMMENTS

Page 71

8A-1 Receive and file updated Board Directive Reports

COMMISSIONER COMMENTS (Page 72)

MATTERS BY THE PUBLIC – 2:00 P.M. (Page 73)

ADJOURNMENT (Page 74)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to ratify: the following Palm Beach County League of Cities (League) representative to the Treasure Coast Regional Planning Council (TCRPC), beginning March 8, 2022 to December 31, 2022:

<u>Nominee</u>	<u>Seat No.</u>	<u>Representing</u>
<u>Alternate appointment:</u> Deborah Searcy, Vice Mayor	8A	Village of North Palm Beach

SUMMARY: In accordance with the TCRPC Rules of Order, the Board of County Commissioners (BCC) appointed its members and alternates for the coming year before the Council’s annual meeting on December 10, 2021. The TCRPC Rules of Order also require the BCC ratify the League’s members. The League appointed the above municipal representatives at their January, 2022 meeting. Countywide (RPB)

2. Staff recommends motion to approve: the appointment of one individual to the Florida Atlantic Research & Development Authority (Authority) to complete an unexpired term ending June 6, 2023:

<u>Appoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Alex Price	3	PBC Resident/Employed In the Private Sector	Mayor Weinroth

SUMMARY: On October 3, 1985, the Board of County Commissioners (BCC) adopted Ordinance No. 85-32, which created the Florida Atlantic Research & Development Authority. The Authority is comprised of seven members: three Palm Beach County representatives, three Broward County representatives and the President of Florida Atlantic University or designee. Representatives must be employed in the private sector and reside in the County in which they represent. Even though this is an at-large appointment, historically, staff has requested nominations for the Authority from the District 4 Commissioner, and Mayor Weinroth has nominated Alex Price. The current diversity of the two Palm Beach County representatives is: Caucasian: 2. The gender ratio is (male:female) is 1:1. Mr. Price is a Caucasian male. Countywide (HH)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

3. **Staff recommends motion to approve:** Golf Tournament Agreement between Palm Beach County, Trump International Golf Club, L.C. and the Jupiter Children's Foundation, Inc. for a one day charitable golf tournament to be held on April 25, 2022. **SUMMARY:** The Development Site Lease Agreement with the Trump International Golf Club, L.C., approved on September 3, 1996 (R96-1277D), allows the use of the golf course during the months of May through October for the County to host either a single two-day, or two one-day charitable golf tournament(s). The Golf Tournament Agreement provides for the Trump International Golf Club to be available exclusively for the tournament, to be held on April 25, 2022. Proceeds from the tournament will benefit the Jupiter Children's Foundation, Inc. Pursuant to the County's policy pertaining to the rotation schedule for selecting an organization to participate in the charity golf tournament, District 1 has chosen the Jupiter Children's Foundation, Inc. for this year. Countywide (AH)

B. CLERK & COMPTROLLER

1. **Staff recommends motion to receive and file:** Warrant List – Backup information can be viewed in the Clerk & Comptroller's Office.
2. **Staff recommends motion to receive and file:** a list of Clerk & Comptroller (Clerk) Finance Department records which have met the revised required State retention schedule and are scheduled for destruction. **SUMMARY:** These records have met the required retention schedule of the Florida Division of Library and Information Services per Sections 28.30, 28.31, 257.36 (6), Florida Statutes.
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 January 2022. Countywide

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to receive and file: State Funded Grant Supplemental Agreement Number Four (Supplement) to the State Funded Grant Agreement, R2018-0364, with the Florida Department of Transportation for the design of SR-7 at Weisman Way Intersection Improvements, extending the expiration date of the agreement from December 31, 2021 to June 30, 2022. **SUMMARY:** In accordance with Countywide PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file agenda item. As authorized by Resolution R2012-0035, and delegation from the County Administrator, the Assistant County Engineer approved the Supplement on December 22, 2021. District 6 (YBH)

2. Staff recommends motion to approve: Work Order 2021050-02 in the amount of \$631,000 to mill and resurface Belvedere Road from Jog Road to Haverhill Road utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2021-0984 (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 \$6 million of Ranger's \$50 million Contract that was approved on August 17, 2021, by the BCC, has been spent or encumbered. This Contract is one of three contracts that had an available total of \$50 million for the annual asphalt milling and resurfacing program. The Affirmative Procurement Initiative selected for this Contract on September 16, 2020 by the Goal Setting Committee is a 15% minimum mandatory Small Business Enterprise (SBE) participation. Ranger agreed to 15% SBE participation for the Contract and for this work order. The cumulative SBE participation, including this work order is 15%. **This project is included in the infrastructure sales tax.** District 2 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

3. Staff recommends motion to approve: Work Order 2021050-04 in the amount of \$779,000 to mill and resurface 10th Avenue North from Pinehurst Drive to Haverhill Road utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2021-0985 (Contract) with M&M Asphalt Maintenance, Inc. (M&M). **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. This is the first work order to be issued under M&M's \$50 million Contract that was approved by the BCC on August 17, 2021. This Contract is one of three contracts that had an available total of \$50 million for the annual asphalt milling and resurfacing program. The Affirmative Procurement Initiative selected for this Contract on September 16, 2020 by the Goal Setting Committee is a 15% minimum mandatory Small Business Enterprise (SBE) participation. M&M agreed to 15% SBE participation for the Contract and for this work order. **This project is included in the infrastructure sales tax. District 3 (YBH)**

4. Staff recommends motion to approve: a Consultant Service Authorization (CSA) to the Annual Construction Engineering Inspection (CEI) Professional Services Contract (R2021-0882) dated July 13, 2021 (Contract) with Mehta and Associates, Inc. (MAI) in the amount of \$156,780 for Wabasso Drive over the Lake Worth Drainage District Lateral 2 Canal (934237) (Project). **SUMMARY:** Approval of this CSA will authorize the professional services necessary for the CEI required for the Project. The Affirmative Procurement Initiatives selected for this Contract on November 6, 2021 by the Goal Setting Committee are a 20% minimum mandatory Small Business Enterprise (SBE) participation and an SBE evaluation preference. MAI agreed to 20% SBE participation for the Contract, and 21.46% SBE participation for this CSA. The cumulative SBE participation to date for the Contract including this CSA is 21.62%. MAI is a Palm Beach County based company and a certified SBE company. **This Project is included in the Five-Year Road Program and the infrastructure sales tax. District 7 (YBH)**

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: a Settlement Agreement, inclusive of attorney's fees and costs, in the total amount of \$60,000 in the personal injury action styled Theresa Hunter vs. Palm Beach County, Case No. 502020CA007314XXXXMB AF. **SUMMARY:** This is a personal injury lawsuit arising from a motor vehicle accident in Boynton Beach. Plaintiff's vehicle was struck by a Palm Beach County Fire Rescue ladder truck. Plaintiff suffered hip, back, neck, and shoulder injuries following the incident and underwent medical treatment including injections and spinal surgery. Countywide (JM)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY (Cont'd)

2. Staff recommends motion to approve: a Fourth Amendment to the contract for Professional Legal Services (Fourth Amendment) with Manson Bolves Donaldson Varn, P.A. (MBDV), increasing the not-to-exceed amount to \$270,000. **SUMMARY:** The County Attorney, in accordance with the delegation set forth in Section 305.04 of the Palm Beach County Administrative Code, entered into the contract with MBDV on August 27, 2019 to provide certain legal services related to the U.S. Army Corp of Engineers, Jacksonville District's 2019 Planned Deviation to the Water Control Plan for Lake Okeechobee and Everglades Agricultural Area (LORS 2008), as well as other Lake Okeechobee operations that have the potential to impact the County. The original not-to-exceed amount under the contract was \$50,000. On October 29, 2019, the County Attorney entered into the First Amendment to the contract in order to amend the scope of the legal services provided by MBDV to include general issues of Water Law and South Florida Water Management District matters including but not limited to the County's Loxahatchee River Restoration Local Initiative and Mecca Site Evaluation. The First Amendment did not modify the original not-to-exceed amount. On July 7, 2020, the Board approved the Second Amendment to the contract increasing the not-to-exceed amount from \$50,000 to \$100,000. On July 13, 2021, the Board approved the Third Amendment to the contract which increased the not to exceed amount to \$200,000, due to the continuing need to consult with MBDV on general water management issues and additional needs related to the County's appeal of the Federal Emergency Management Agency's (FEMA) 2019 Preliminary Flood Insurance Rate Maps (FIRMs) and the State Road 7/Northlake Blvd permit challenges. This Fourth Amendment increases the not to exceed amount to \$270,000, and is required due to the continuing need to consult with MBDV on general water resources management issues, anticipated activities related to FEMA's response to the County's appeal of the 2019 Preliminary FIRMs, and the State Road 7/Northlake Blvd permit challenges. Countywide (MJ)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to approve: the reappointment of two current members and the appointment of one new member to the Farmworker Program Advisory Board, effective March 8, 2022:

<u>Seat No.</u>	<u>Reappointment</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated By</u>
6	Karis Engle	Business Community Representative	09/30/23	Mayor Weinroth Comm. Marino Comm. Kerner Comm. McKinlay Comm. Bernard
9	Douglas Brown	Education Representative	09/30/23	Mayor Weinroth Comm. Marino Comm. Kerner Comm. McKinlay Comm. Bernard
<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated By</u>
2	Cergile Sincere	Farmworker Advocate Representative	09/30/23	Mayor Weinroth Comm. Marino Comm. Kerner Comm. McKinlay Comm. Bernard

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

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to approve: a Use of Facility Agreement for Non-Government Entities with the Rainbow Housing Assistance Corporation (RHAC), for the five year period March 8, 2022 through March 7, 2027, to provide a congregate meal site for seniors at the St. Andrews Residence, with no additional cost to the County. **SUMMARY:** The Division of Senior and Veteran Services (DSVS) receives federal funds from the Older Americans 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 RHAC recruit volunteers to operate the sites. DSVS provides 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 Calendar Year 2020 and 2021 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 to and during the COVID-19 pandemic are continuing to do so without interruption in services. This is a new contract with RHAC; there are no previous statistics available. The estimated annual cost of the meals is \$13,699, and is funded under OAA in the amount of \$12,329 (90%) and \$1,370 (10%) in County match, which is included in the current budget. 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 Center, Inc. is responsible for providing services in the excluded areas. **No additional County match is required.** (Division of Senior and Veteran Services) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road. (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends motion to:

A) approve an Affiliation Agreement with Keith & Associates Inc., Distance Dietetic Internship (KADDI), for six years effective upon approval of the parties, for its students to complete planned and supervised dietetic work training experiences, at various Community Services Department facilities, with no additional cost to the County; and

B) authorize the County Administrator or designee signatory authority on additional forms, contracts, amendments thereto, and any other necessary documents related to the Affiliation Agreement with KADDI.

SUMMARY: The Community Services Department (CSD) has partnered with various local colleges, universities and training schools to provide an educational opportunity for students to link theory with practice and provide students with a practical real world experience in the workplace. CSD has provided work for interns, which allows them to develop important skills that cannot be taught in the classroom. This Affiliation Agreement will facilitate the utilization of a student dietitian intern with an unpaid internship. The participant will not displace regular employees but work with employees under close supervision to increase their employability skills. As a result of the Affiliation Agreement, the Division of Senior and Veteran Services will assign volunteers to various program tasks. **No County match is required.** (Community Services Department) Countywide (HH)

4. Staff recommends motion to ratify: the signature of the Mayor on the Emergency Rental Assistance Program 1 (ERAP 1) Request for Reallocated Funds, for the period January 21, 2021 through December 30, 2022, in the amount of \$20,000,000, for a new total funding amount of \$65,196,000, to provide emergency rental and utility assistance for Palm Beach County residents impacted by the COVID-19 pandemic. **SUMMARY:** On January 7, 2022, the Deputy Secretary of the U.S. Treasury released instructions on requesting additional ERAP 1 funding that may be available due to reallocations from under-performing jurisdictions. As a high-performing jurisdiction and based on program needs, Palm Beach County requested an additional \$20,000,000. This is the second round of reallocations by the U.S. Treasury. Palm Beach County was not awarded funding during the first round. The emergency signature process was used as there was not sufficient time to submit the request through the regular agenda process without fully depleting the first disbursement. As of January 11, 2021, \$51,593,015 has been disbursed on behalf of 6,792 unduplicated households under ERAP. Since March 18, 2020, \$100,472,191 has been disbursed in direct client assistance across all Community Services programs. The Catalog of Federal Domestic Assistance (CFDA) number for ERAP is 21.023. **No County match is required.** (Division of Human Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. Staff recommends motion to receive and file: the Agency for Health Care Administration (AHCA) Health Care Licensing Applications for the below-listed adult day care centers, to renew the Division of Senior and Veteran Services (DSVS) North County and Mid-County Adult Day Care Center licenses as required by AHCA:

A) North County Adult Day Care Center, for the period March 18, 2022 through March 17, 2024, and

B) Mid-County Adult Day Care Center, for the period June 17, 2022 through June 16, 2024.

SUMMARY: AHCA is responsible for the licensure and regulation of health facilities, including adult day care centers. Adult day care centers are required to be licensed by AHCA with a renewal every two years through a licensing application process. The attached AHCA licensing applications are required 60 days prior to the expiration of the current license, which was extended to March 17, 2022 for North County and June 17, 2022 for Mid-County. The licensing renewals enable DSVS to continue to operate the adult day care centers. The centers provide support and care for the elderly and/or adults with Alzheimer's, cognitive and chronic physical impaired participants. There is no cost to Palm Beach County. County-operated or municipally operated centers applying for licensure are exempt from the payment of license fees. On July 11, 2017, the Board of County Commissioners authorized the County Administrator, or designee, to execute renewal applications for this purpose. In accordance with County PPM CW-0-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. DSVS is responsible for providing services north of Hypoluxo Road. The areas of service include all of the districts, excluding District 3, 4, 5 and 7 south of Hypoluxo Road. The Mae Volen Senior Center, Inc. is responsible for providing services in the areas south of Hypoluxo Road. (DOSS) Countywide for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road. **No County match is required.** (Division of Senior and Veteran Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

6. Staff recommends motion to approve: the Subrecipient Agreement with The Salvation Army (Salvation Army), for the period October 1, 2021 through September 30, 2022, in an amount not-to-exceed \$86,221 in Emergency Solutions Grant (ESG) Program funding, for the provision of rapid re-housing services to families experiencing homelessness. **SUMMARY:** On July 13, 2021, the Board of County Commissioners approved the Palm Beach County Action Plan for Fiscal Year 2021-2022, which allocated \$452,746 in ESG funds for non-profit agencies to assist people experiencing homelessness, or at risk of homelessness. The finalization of this agreement was delayed due to an extended review of the agency's scope of work and budget. The population being served with ESG funds under this agreement are families experiencing homelessness. The Salvation Army will fund activities, which include payment for the cost of operating and providing emergency shelter. Families who are experiencing a homeless crisis are prioritized for housing assistance and connected to emergency shelter, and/or rapidly moved to stable housing. Activities include case management, food, maintenance, security, equipment, insurance and supplies for emergency shelter. In FY 2020, the Salvation Army expended 100% of the \$148,745 award and 109 individuals were served in emergency shelter. Under this new agreement, the Salvation Army is expected to serve approximately 59 individuals in emergency shelter. The reduction in the estimated number of individuals served is due to a 58% decrease from last year's funding award. The Salvation Army was awarded the current amount after a competitive Notice of Funding Opportunity (NOFO) process. The federal ESG funds require a matching contribution, which is provided by the funded agency. **No County match is required.** (Division of Human Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

7. Staff recommends motion to receive and file:

A) contract for Provision of Services with Rebel Recovery Florida, Inc. (Rebel Recovery), for the period October 1, 2021 through September 30, 2022, in an amount not-to-exceed \$199,751, to provide housing stabilization, peer support, and case management for homeless individuals due to COVID-19; and

B) Amendment No.1 to contract for Provision of Services with The Homeless Coalition of Palm Beach County, Inc. (Homeless Coalition) (R2021-1486), for the period of June 1, 2021 through September 30, 2022, to extend the end date from January 31, 2022 to September 30, 2022 and increase funding by \$116,000, for a new total contract amount not-to-exceed \$166,000, to provide hotel emergency shelter services to individuals and families who are homeless, at imminent risk, or at risk of homelessness due to COVID-19.

SUMMARY: On April 2, 2020, the U.S. Department of Housing and Urban Development notified Palm Beach County of an Emergency Solutions Grant Coronavirus (ESG-CV1) award for homeless assistance and homelessness prevention activities to mitigate the impacts of COVID-19. Rebel Recovery will provide peer support/navigator services to 180 individuals, trainings to 73 individuals and housing care coordination services to 63 individuals. This is a new program with Rebel Recovery. On June 1, 2021, the need for additional funding for hotel emergency shelter services was identified. Amendment No. 1 is necessary in order to extend the end date to September 30, 2022 and increase funding to allow for continued services for those in need of emergency shelter services. The amendment will provide hotel assistance to approximately 37 additional families who are homeless, imminent risk, or at risk of homelessness due to COVID-19. Services will include, but are not limited to, hotel shelter with kitchen facilities, if possible, for up to four weeks, at a cost of up to \$550 per week, but not-to-exceed a total of \$2,200 per family. Case management services will be provided until the participant is placed into a shelter or until permanent housing is acquired. A referral from the Homeless Outreach Team or the Homeless Dispatcher is required. Program participants will be placed into the Client Management Information System. The items were executed by the County Administrator in accordance with Agenda Item 6C-3, dated May 5, 2020, which delegated signature authority to the County Administrator, or designee. 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. **No County match is required.** (Division of Human Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

8. Staff recommends motion to approve:

A) Standard Agreement No. IA022-9500 for the Older Americans Act (OAA) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period January 1, 2022 through December 31, 2022, in an amount not-to-exceed \$2,889,947, to provide in-home and community based services to seniors; and

B) a budget amendment of \$828,247 in the Division of Senior and Veteran Services (DSVS) Administration Fund to align the budget to the actual grant award.

SUMMARY: The OAA agreement allow DSVS to provide services to seniors and their caregivers. Services are provided to eligible Palm Beach County seniors age 60 and older and their caregivers. In Calendar Year 2020 the congregate meal program served 2,585 seniors; the home-delivered meal program served 1,312 seniors and the in-home services program served 112 seniors. Seniors receiving home delivered meals prior and during the COVID-19 pandemic are continuing to do so without interruption in services. Due to the temporary closure of congregate meal sites during the COVID-19 pandemic, congregate meals are currently being managed in two ways: 1) through home delivery meals for those seniors who do not have transportation to pick up their meals; and 2) through grab and go at one of DOSS's two meal distribution sites. The number of seniors served is based on the amount of the grant and the need of the clients. **There is a required County match under 3B Catalog of Federal Domestic Assistance (CFDA) No. 93.044 in the amount of \$127,431, C1 CFDA No. 93.045 in the amount of \$88,045, C2 CFDA No. 93.045 in the amount of \$63,206 and 3E CFDA No. 93.052 in the amount of \$18,894, totaling \$297,576, which is already included in the budget. No additional County match is required.** The upward budget amendment is necessary to align the County budget with the actual grant award. DSVS is responsible for providing services north of Hypoluxo Road. The areas of service include all of the districts, excluding District 3, 4, 5 and 7 south of Hypoluxo Road. The Mae Volen Center, Inc. is responsible for providing services in the areas south of Hypoluxo Road. (DSVS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road. (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

9. Staff recommends motion to approve: the reappointment of one member to the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council, effective March 12, 2022:

<u>Seat No.</u>	<u>Appointment</u>	<u>Recommended By</u>	<u>Term Expires</u>
25	Felisha Douglas	HIV CARE Council	03/11/25

SUMMARY: The Palm Beach County HIV CARE Council (HIV CARE Council) nomination process is an open process with publicized criteria and legislatively defined conflict of interest standards. Ms. Douglas has successfully completed the HIV CARE Council's nomination process and the HIV CARE Council recommends the appointment. The total membership for the HIV CARE Council shall be no more than 33 at-large members, per Resolution No. 2011-1560. The diversity count for the 21 seats that are currently filled is African-American: 10 (45%), Caucasian: 6 (30%), Hispanic-American: 4 (20%) and Asian-American: 1 (5%). The gender ratio (female: male) is 10:11. Ms. Douglas is African- American. Staff conducts targeted outreach in an effort to proffer candidates for appointments that maintain a diverse composition of the board. (Ryan White Program) Countywide (HH)

F. AIRPORTS

1. Staff recommends motion to receive and file: the First Amendment to Non-signatory Airline Agreement (First Amendment) with Allegiant Air LLC (Allegiant), commencing December 6, 2021; providing for replacement of the Preferential Use Premises exhibits to remove a 113 square foot ticket office at the Palm Beach International Airport (PBI). **SUMMARY:** The First Amendment provides for removal of a 113 square foot ticket office from Allegiant's leasehold at PBI effective December 6, 2021. Resolution 2019-1156 authorizes the County Administrator or designee, the Director of the Department of Airports, to agree to modifications to an airline's leasehold premises. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. Staff recommends motion to receive and file: an amendment for extension of the Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation for the Public Address (PA) System Replacement at Palm Beach International Airport (PBI); Financial Project Number 445870-1-94-01 approved by the Board on August 20, 2019 (R2019-1151 and R2019-1152), until June 30, 2022. Delegation of authority for execution of the amendment for extension of the PTGA was approved by the Board on August 25, 2020 (R2020-1017). **SUMMARY:** The existing PA system at PBI has exceeded its useful life and has become difficult to maintain due to the lack of available compatible parts. The PA system is essential to operations at the airport, as it provides airline paging and emergency notifications. The PA System Replacement is substantially complete with punch list and project closeout pending. Approval of the amendment for extension of the PTGA extends the availability of grant funding to allow for the completion of the project. Countywide (AH)

3. Staff recommends motion to:

A) receive and file Federal Aviation Administration (FAA) Grant Agreement Number 3-12-0085-069-2022 in the amount of \$23,545,728 for Airport Rescue Grant at Palm Beach International Airport (PBI). Delegation of authority for execution of this grant was approved by the Board of County Commissioners on August 25, 2020 (R2020-1017). This grant is effective as of January 7, 2022 with an expiration date of January 6, 2026; and

B) approve a budget amendment of \$23,545,728 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FAA; including a transfer to Reserves in the amount of \$23,545,728.

SUMMARY: The FAA has issued a Grant Offer (Assistance Listings Number 20.106) reflecting their commitment of funding in the amount of \$23,545,728 for PBI. Acceptance of this grant provides the Department of Airports with funding for the reimbursement of on-going operations and maintenance costs for PBI. This grant began on January 7, 2022 and expires January 6, 2026. **This grant does not require a local match.** Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

4. Staff recommends motion to:

A) receive and file Federal Aviation Administration (FAA) Grant Agreement Number 3-12-0113-021-2022 in the amount of \$148,000 for Airport Rescue Grant at North Palm Beach County General Aviation Airport (F45). Delegation of authority for execution of this grant was approved by the Board of County Commissioners on August 25, 2020 (R2020-1017). This grant is effective as of January 7, 2022 with an expiration date of January 6, 2026; and

B) approve a budget amendment of \$148,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FAA; including a transfer to Reserves in the amount of \$148,000.

SUMMARY: The FAA has issued a Grant Offer (Assistance Listings Number 20.106) reflecting their commitment of funding in the amount of \$148,000 for F45. Acceptance of this grant provides the Department of Airports with funding for the reimbursement of on-going operations and maintenance costs for F45. This grant began on January 7, 2022 and expires January 6, 2026. **This grant does not require a local match.** Countywide (AH)

5. Staff recommends motion to:

A) receive and file Federal Aviation Administration (FAA) Grant Agreement Number 3-12-0086-020-2022 in the amount of \$59,000 for Airport Rescue Grant at Palm Beach County Park Airport (LNA). Delegation of authority for execution of this grant was approved by the Board of County Commissioners on August 25, 2020 (R2020-1017). This grant is effective as of January 7, 2022 with an expiration date of January 6, 2026; and

B) approve a budget amendment of \$59,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FAA; including a transfer to Reserves in the amount of \$59,000

SUMMARY: The FAA has issued a Grant Offer (Assistance Listings Number 20.106) reflecting their commitment of funding in the amount of \$59,000 for LNA. Acceptance of this grant provides the Department of Airports with funding for the reimbursement of on-going operations and maintenance costs for LNA. This grant began on January 7, 2022 and expires January 6, 2026. **This grant does not require a local match.** Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

6. Staff recommends motion to:

A) receive and file Federal Aviation Administration (FAA) Grant Agreement Number 3-12-0060-010-2022 in the amount of \$22,000 for Airport Rescue Grant at Palm Beach County Glades Airport (PHK). Delegation of authority for execution of this grant was approved by the Board of County Commissioners on August 25, 2020 (R2020-1017). This grant is effective as of January 7, 2022 with an expiration date of January 6, 2026; and

B) approve a budget amendment of \$22,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FAA; including a transfer to Reserves in the amount of \$22,000.

SUMMARY: The FAA has issued a Grant Offer (Assistance Listings Number 20.106) reflecting their commitment of funding in the amount of \$22,000 for PHK. Acceptance of this grant provides the Department of Airports with funding for the reimbursement of on-going operations and maintenance costs for PHK. This grant began on January 7, 2022 and expires January 6, 2026. **This grant does not require a local match.** Countywide (AH)

7. Staff recommends motion to adopt: a resolution establishing a standard form Non-commercial Self-Service Fueling Permit for the Palm Beach International Airport; including authorizing the County Administrator or designee to execute the permit; providing for severability; and providing for an effective date. **SUMMARY:** This resolution establishes a new standard form Non-commercial Self-Service Fueling Permit (Permit) for the Palm Beach International Airport (PBI) and authorizes the County Administrator or designee to execute the standard form Permit on behalf of the Board. Self-service fueling means the fueling of an aircraft by the owner of the aircraft with his or her own employees and using his or her own equipment. Federal grant assurance requirements obligate the County to permit aircraft owners to perform certain services on their own aircraft, including self-service fueling. The Permit establishes the requirements for aircraft owners to engage in self-service fueling at PBI, including insurance, environmental, security and safety requirements. The Permit requires payment of an initial application fee of \$250, an annual Permit fee of \$500, applicable aircraft parking fees, security badging fees and any other fees and charges associated with services provided by the Department of Airports in connection with self-service fueling operations. The Director of the Department of Airports will be considered a designee for purposes of this resolution. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

8. Staff recommends motion to:

A) receive and file a Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) in the amount of \$1,800,000 for Southside Redevelopment Project – Phases 3 and 4 at Palm Beach County Park Airport (LNA). Delegation of authority for execution of this PTGA was approved by the Board of County Commissioners on August 25, 2020 (R2020-1017). This PTGA is effective as of January 19, 2022 with an expiration date of December 31, 2024; and

B) approve a budget amendment of \$1,800,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT and budget additional project costs of \$1,800,000; \$450,000 is in the current budget. Total project costs are \$2,250,000.

SUMMARY: The FDOT has issued a PTGA (CSFA No. 55.004) reflecting their commitment of funding to the above referenced project in the amount of \$1,800,000 or 80% of the eligible project costs, whichever is less for the Southside Redevelopment Project – Phases 3 and 4 at LNA. This funding will provide for the final phases of design and construction for improvements to existing landside facilities and infrastructure that began in 2018; this project will complete the final phases of aviation redevelopment on the south side of the airfield, including security enhancements and access control, landside parking and vehicle circulation improvements and related utility infrastructure. The projects to be funded with this grant will not expand or increase airport/aviation capacity at LNA. The purpose of the projects is to improve the security and safety of LNA and rehabilitate/replace aging infrastructure. Airport required local match of \$450,000 is in the current budget. Countywide (AH)

9. Staff recommends motion to approve: the Interlocal Agreement with the Village of Royal Palm Beach regarding airport zoning regulations. **SUMMARY:** This Interlocal Agreement with the Village of Royal Palm Beach allows for the adoption of consistent airport zoning ordinances regulating certain land development activity in the vicinity of the Palm Beach County Airports, pursuant to Chapter 333 of the Florida Statutes. Countywide (SS)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to receive and file: the Annual Report for the Fiscal Year ending September 30, 2021 from the Boynton Beach Community Redevelopment Agency (CRA). **SUMMARY:** The Boynton Beach CRA has submitted its Annual Report for the Fiscal Year ending September 30, 2021 as per Sections 163.356(3)(d) and 163.387(8), Florida Statutes. Countywide (DB)

2. Staff recommends motion to approve: the change from the various categories as previously approved to the revenue replacement category within the American Rescue Plan Act (ARPA). **SUMMARY:** Signed into law on March 11, 2021, the American Rescue Plan Act of 2021 will provide \$350 billion in additional funding for state and local governments, which includes approximately \$290.7 million in direct local recovery assistance for Palm Beach County. The County's plan fully complies with U.S. Treasury Department's Final ARPA Rule and current Department of Treasury Guidance. On November 2, 2021, the Palm Beach County Board of County Commissioners (Board) approved an agenda item to provide budget for the ARPA funds of \$290,730,026, of which \$145,365,013 (50%) was received on May 20, 2021. The remaining allocation will be distributed within one year. During that meeting, the Board approved fiscal spending categories to meet the needs of our citizens. Since that time, the final rule has been issued by the Department of Treasury. The updated rule made some changes to the calculation of the revenue replacement category and the County can use all the funds received under this category. Revenue replacement allows for the revenue loss amount to be used for government services. The final rule states that this is the most flexible eligible use category under the program. This change in categories will not change the projects as approved by the BCC but will allow staff flexibility in completing projects and provide ease in grant reporting. Countywide (DB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to receive and file: Standard License Agreement for Use of County-Owned Property adjacent to the County Stockade located at 9620 Weisman Way from January 12, 2022 through February 2, 2022 and from April 6, 2022 through April 10, 2022 with the South Florida Fair and Palm Beach Expositions, Inc., for parking by the public and the Palm Beach County Sheriff's Office during the 2022 South Florida Fair and Barrett-Jackson events. **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 agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or designee, who in this case was the Director of the Facilities Development and Operations Department. The Standard License Agreement was approved in accordance with R2010-0333, as amended and approved by the Board on October 1, 2013. This executed document is now being submitted to the Board to receive and file. (Property and Real Estate management) Countywide/District 6 (HJF)

2. Staff recommends motion to approve: the appointment of one new member to the Public Art Committee as follows:

Appoint	Seat No.	Requirement	Term
Charlene Farrington	7	Nonprofit Visual Arts Professional	3/8/22 – 9/30/22

SUMMARY: Pursuant to Resolution No. R2013-1160, the Public Art Committee consists of nine members that are appointed for a term of three years. One new member is recommended to complete the term of an individual that recently resigned from the Public Art Committee. The new recommended appointment is Charlene Farrington to replace Leslie Albert. The term expires on September 30, 2022. The Public Art Committee has the following diversity count with the proposed appointee: Caucasian: 5 (55%), Hispanic: 2 (22%), African-American: 1 (11%), Asian: 1 (11%). The resulting gender ratio (female:male) would remain 7:2. (FDO Admin) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve: Work Order No. 21-013 to the annual heating ventilation and air conditioning (HVAC) contract with Florida Mechanical LLC (Contractor) (R2020-0021) for the C. L. Brumback Health Center- Chiller Replacement project in the amount of \$268,987 for a period of 90 calendar days from permit issuance. **SUMMARY:** On January 7, 2020, the Board of County Commissioners (Board) approved the annual HVAC contract with the Contractor for HVAC services related to system and component installations, upgrades, replacements, modifications and repairs at County properties. Work Order No. 21-013 authorizes the replacement of two existing air-cooled chiller units at the C. L. Brumback Health Center. The existing units are over 19 years old, the coils are in poor condition and both of the units have outlived their useful life. Additionally, it has become increasingly difficult to find parts and materials to maintain the units. The new air-cooled chillers will be more efficient and provide years of dependable service. This project was competitively advertised and new contractors were invited to bid on the project by submitting prequalification documents prior to the submission of the bid response. The Contractor will have 90 calendar days from permit issuance to substantially complete the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$80 per day. On August 21, 2019, the Goal Setting Committee applied the following Affirmative Procurement Initiatives (API) for this annual contract: 1) Sheltered market for projects less than \$100,000, when three or more Small Business Enterprises (SBE) are qualified; or 2) 10% SBE Price Preference for projects \$100,000 or greater. Since this project is over \$100,000, the applicable API is the latter. The Contractor is not an SBE and there is no SBE participation on this work order. To date, the overall SBE participation on the annual HVAC contract is 33.61%. The Contractor is a local business. Funding for this project is from the Public Building Improvement fund. (Capital Improvements Division) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to receive and file: Change Order No. 3 to Amendment No. 20 (R2020-0441) to the continuing construction manager at risk contract with Robling Architecture Construction, Inc. for the Convention Center Sky-Room (Courtyard) project in the amount of \$39,249 with an increase to the project duration of 80 calendar days. **SUMMARY:** On June 21, 2016, the Board of County Commissioners (Board) approved the continuing contract with Robling Architecture Construction, Inc (R2016-0762) for construction management services for various capital improvement projects, which may include new construction, additions, or renovations up to \$4,000,000 per project. On May 5, 2020, the Board approved Amendment No. 20 to the contract with Robling for the Palm Beach County Convention Center Courtyard project establishing a Guaranteed Maximum Price (GMP) for construction management services in the amount of \$1,217,418 for a period of 94 calendar days. Change Order No. 3 authorizes the installation of additional fire alarm gate hardware, relocation, replacement and addition of light fixtures, paver modifications, and the addition of 80 calendar days to the contract duration in order to complete the additional work. These changes, in the amount of \$39,249, are funded from the project contingency fund resulting in a zero-dollar change to the contract price. In accordance with Policy and Procedure Manual (PPM) CW-F-050, when the time extensions to a project totals or exceeds 120 days of the original project completion date, an agenda item notifying the Board of the item that puts the cumulative value in the excess category must be presented as a receive and file. To date, the cumulative value of time extensions, including Change Order No. 3, totals 165 calendar days. This agenda item is being submitted to notify the Board that Change Order No. 3 puts the cumulative value of changes or additional work in excess of the 120 days' threshold established by PPM CW-F-050. The Construction Manager (CM) was selected pursuant to the Small Business Enterprise (SBE) ordinance in place at the time. On February 20, 2019, the Goal Setting Committee established a minimum mandatory 20% SBE goal on the continuing CM contract. The original SBE participation on this project was 56.67%. The SBE participation for this change order is 92.63%. To date, the overall SBE participation on this project is 59.14%. The CM is a Palm Beach County Business. The funding source for this project is the 68M Public Imp Rev Bond 15A CP, Conv Ctr Garage & Airport Ct fund which debt service is funded by the Tourist Development Tax 1st Cent fund. (Capital Improvements Division) District 2 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. Staff recommends motion to approve: annual contract with the following contractor for plumbing services on an as-needed basis through August 24, 2025.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
KGW Enterprises, Inc. D/B/A Able Plumbing	Local	SBE

SUMMARY: On August 25, 2020, the Board of County Commissioners (Board) approved the annual Plumbing contract (R2020-1036 and R2020-1037). The work consists of maintenance and repairs including but not limited to: repair and replacement of existing valves, fixtures, unclogging drains, sewer gas leak detections, removal and installation of new equipment, locating underground water lines and investigating odor caused by sewer drains/piping. The contractor now joins the list of two already prequalified contractors for a total of three with a contract expiration date of August 24, 2025. The specific requirements of the work shall be determined by individual work orders issued against this annual contract. These contracts are five-year indefinite-quantity contracts with a maximum cumulative value of \$1,000,000 across all prequalified contractors. Work is to be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors 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 annual plumbing contract was last presented to the Goal Setting Committee on March 20, 2019 and the Committee established Affirmative Procurement Initiatives of sheltered market for projects less than \$100,000 when three or more Small Business Enterprises (SBE) are qualified under the annual contract or 10% SBE Price Preference for projects \$100,000 or greater. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for each work order issued. Current cumulative S/M/WBE participation for all work orders to-date under the plumbing annual contract is 0%. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. Staff recommends motion to approve: an annual contract with the following contractor for roofing services on an as-needed basis through November 16, 2025.

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

SUMMARY: On November 17, 2020, the Board of County Commissioners (Board) approved the annual roofing contract (R2020-1693 thru R2020-1700). The work consists of roofing repair and replacement services on an as needed basis. The contractor now joins the list of 13 already prequalified contractors for a total of 14 prequalified contractors with a contract expiration date of November 16, 2025. The specific requirements of the work shall be determined by individual work orders issued against this annual contract. These contracts are five-year indefinite-quantity contracts with a maximum cumulative value of \$3,000,000 across all prequalified contractors. Work is to be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least ten days before the bid due date. The roofing annual contract was presented to the Goal Setting Committee on July 15, 2020 and the Committee established Affirmative Procurement Initiatives of sheltered market for projects less than \$100,000 or a 10% Small Business Enterprises Price Preference for projects \$100,000 or greater. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. Current cumulative S/M/WBE participation for all work orders to-date under the roofing annual is 53.57%. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. Staff recommends motion to approve: an annual contract with the following contractor for Heating, Ventilation and Air Conditioning (HVAC) services on an as-needed basis through January 6, 2025.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Air Handlers of the Palm Beaches, Inc.	Local	SBE

SUMMARY: On January 7, 2020, the Board of County Commissioners (Board) approved the annual HVAC contract (R2020-0019 thru R2020-0023). The work consists of HVAC services related to system and component installations, upgrades, replacements, modifications and repairs. The contractor now joins the list of 17 already prequalified contractors for a total of 18 with a contract expiration date of January 6, 2025. The specific requirements of the work shall be determined by individual work orders issued against this annual contract. These contracts are five-year indefinite-quantity contracts with a maximum cumulative value of \$8,000,000 across all prequalified contractors. Work is to be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors 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 HVAC annual contract was presented to the Goal Setting Committee on August 21, 2019 and the committee established Affirmative Procurement Initiatives of sheltered market for projects less than \$100,000 or 10% Small Business Enterprises price preference for projects \$100,000 or greater. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for each work order issued. Current cumulative S/M/WBE participation for all work orders to-date under the HVAC annual contract is 34.56%. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

8. Staff recommends motion to approve: an annual contract with the following contractor for general minor construction services on an as-needed basis through February 10, 2025.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Glades Roofing, LLC	Local	SBE

SUMMARY: On February 11, 2020, the Board of County Commissioners (Board) approved the annual minor construction contract (R2020-0142 through R2020-0151). The work consists of construction services associated with repairs, improvements and renovations to County properties. The contractor now joins the list of 31 already prequalified contractors for a total of 32 prequalified contractors with a contract expiration date of February 10, 2025. The specific requirements of the work will be determined by individual work orders issued against this annual contract. These contracts are five-year indefinite-quantity contracts with a maximum cumulative value of \$10,000,000. Work is to be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors 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. This minor construction annual contract was presented to the Goal Setting Committee on August 21, 2019. The Committee applied the following three Affirmative Procurement Initiatives: 1) sheltered market for projects less than \$100,000; or 2) 10% Small Business Enterprises (SBE) Price Preference for single-trade projects \$100,000 or greater; or 3) a minimum mandatory 25% SBE subcontracting goal for multi-trade projects. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. Current cumulative S/M/WBE participation for all work orders to-date under the minor annual contract is 83.62%. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

9. Staff recommends motion to approve:

A) an annual contract with the following contractor for painting and weatherproofing services on an as-needed basis through April 09, 2023; and

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

B) an increase in the maximum dollar value of the annual painting and weatherproofing contracts by \$2,000,000 to perform painting and weatherproofing services on an as-needed basis through April 9, 2023.

<u>Contractor</u>	<u>Resolution #</u>	<u>Status</u>
A) A to Z Paint Contracting, Inc.	R2021-0895	Local/S/WBE
B) A-1 Paint, Inc., of Palm Beach	R2018-0392	Local/SBE
C) Advanced Painting Contractors, Inc.	R2018-0393	Local/Non-SBE
D) Clean Air Restoration, Inc. d/b/a Chandler Construction Company	R2018-0394	Local/Non-SBE
E) E&F Florida Enterprises Inc. DBA Creative Construction Group	R2021-0583	Local/Non-SBE
F) Greenview Construction LLC	R2019-1029	Local/SBE
G) Gustafson Industries, Inc.	R2019-1030	Local/SBE
H) H.A. Contracting Corp	R2018-0395	Non-Local/Non-SBE
I) Hatcher Construction & Development, Inc.	R2020-0083	Local/S/MBE
J) Harry's Painting & Enterprises, Inc.	R2019-1031	Local/Non-SBE
K) J.B. Painting & Weatherproofing, Inc.	R2019-1032	Local/Non-SBE
L) Leonard Graham Inc. dba L G I Construction	R2021-0582	Local/Non-SBE
M) One Call Florida, Inc.	R2018-0749	Local/SBE
N) Premier Quality Builders Corp.	R2021-0896	Local/Non-SBE
O) Razorback LLC	R2021-0632	Non-Local/Non-SBE
P) Sun Art Painting Corporation	R2019-1033	Local/SBE
Q) WGM Quality Painting, Inc.	R2018-0396	Local/S/M/WBE

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

9. **(Cont'd) SUMMARY:** On April 10, 2018, the Board of County Commissioners (Board) approved the annual painting and weatherproofing contract for an initial term of two years, with three renewal options each for a period of one year, at the sole option of the County. On July 23, 2019, Amendment No. 1 (R2019-1034 through R2019-1039) extended the term of the contract through April 9, 2023. The contractor now joins the list of 17 already prequalified contractors for a total of 18 prequalified contractors with a contract expiration date of April 09, 2023. The work consists of painting and weatherproofing services on an as needed basis. The specific requirements of the work shall be determined by individual work orders issued against this annual contract. These contracts are five-year indefinite-quantity contracts. During the first three years of the contract, the County awarded \$2,330,596.93 in work orders. Staff is requesting the cumulative limit be increased by \$2,000,000 for a total cumulative value of \$4,500,000 in order to accommodate anticipated new projects required to be accomplished before the term of this contract expires on April 9, 2023. Work is to be awarded as work orders on a lump sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors 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 painting and weatherproofing annual contract was last presented to the Goal Setting Committee on January 2, 2019 and the Committee established Affirmative Procurement Initiatives of sheltered market for projects less than \$100,000 or a 10% Small Business Enterprise Price Preference for projects \$100,000 or greater. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. Current cumulative S/M/WBE participation for all work orders to-date under the painting and weatherproofing annual is 70.11%. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

10. Staff recommends motion to approve: a continuing construction manager at risk contract with the following contractors for the Fire Station Capital Improvements Program - Renovations on an as needed basis through March 07, 2027.

<u>Contractor</u>	<u>Status</u>	<u>SBE/Non-SBE</u>
A) Robling Architecture Construction, Inc. (Robling)	Local	Non-SBE
B) Kast Construction Company LLC (Kast)	Local	Non-SBE

SUMMARY: This continuing contract provides for the implementation of the renovation component of the Fire Rescue’s Comprehensive Capital Improvements program. The aforementioned construction managers (CM) at risk will provide preconstruction and construction management services for each renovation project pursuant to a contractually Guaranteed Maximum Price. The specific requirements of the work shall be determined by individual task orders, work orders and amendments issued against this continuing contract. Projects will be assigned on a per station basis with the possibility of multiple renovation projects proceeding concurrently at numerous County owned and managed Fire Stations. The scope of work includes but is not limited to: 1) roof repairs and/or replacement; 2) window and/or door replacements; 3) primary and back-up power system replacements; 4) heating and air conditioning system upgrades and replacements; 5) replacement of fueling systems; 6) parking, paving, grading/ drainage improvements; 7) interior improvements to better facilitate operations; 8) fencing and site security work; and 9) access control/closed circuit television system improvements and installation. The solicitation for the construction managers was advertised on February 28, 2021 according to the Equal Business Opportunity Ordinance, with final selection taking place on June 10, 2021. Protests to the proposed award were filed by Kast, Robling and Core Construction Services of Florida, LLC. Kast’s protest was denied by the County’s Purchasing Director due to lack of standing. Robling’s protest was upheld, leading to a revised award posting which then triggered Core’s protest filing. A lengthy protest process ensued which included a hearing before a Special Master. On November 30, 2021, the Special Master issued its decision to deny Core’s protest and uphold the Purchasing Director’s decision. On February 3, 2021, the Goal Setting Committee established the following Affirmative Procurement Initiatives: for selection a Small Business Enterprise (SBE) evaluation preference of up to 15 evaluation points for SBE plan and CM/SBE partnering, and for the construction phases under the contract a 20 % SBE subcontracting goal, of which 5% must be African American and or Hispanic American participation, for the continuing contract. Neither Robling nor Kast are certified Small/Minority/Women-Owned Business Enterprises. Robling has partnered with MCO Construction and Services Inc., a MBE CM, for preconstruction and construction management services in the amount not less than 15% over the duration of the contract. Kast has partnered with two MBE firms, Cooper Construction Management and All-Site Construction Inc., for services in the amount not less than 5% of its preconstruction CM fees, 25% of the CM overhead and profit fee, and 100% of the firm’s construction phase staffing cost, respectively. The funding source for projects under this continuing CM at Risk contract is from the Fire Rescue Improvement fund. (Capital Improvements Division) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

11. Staff recommends motion to receive and file: Standard License Agreement for Use of County-Owned Property for a period of November 30, 2021 through December 30, 2021, with Friends of the Mounts Botanical Garden, Inc. (Mounts Botanical Gardens) for the Garden of Lights event. **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 who in this case was the Director of the Facilities Development and Operations Department. The Standard License Agreement was approved in accordance with R2010-0333, as amended and approved by the Board on October 1, 2013. The executed document is now being submitted to the Board to receive and file. (FDO Admin) District 2 (DB)

12. Staff recommends motion to approve: the first amendment to extend the term of the Interlocal Agreement (R2017-0723) with the Town of Lake Park (Town) and the Palm Beach County Sheriff's Office (Sheriff), for the County to provide fuel services, including maintenance of a fuel control reader and allowing the Sheriff and County to purchase fuel from the Town, until January 8, 2027. **SUMMARY:** The Interlocal Agreement (Agreement) establishes the terms and conditions by which the County will: 1) provide fuel management services to the Town, including the billing structure and annual notice of the administrative markup; and 2) manage, maintain and repair the fuel pump control reader purchased and installed by the Town, including the amount and schedule of payment to the County for such services. In addition, the agreement sets forth the terms under which the Town shall allow Sheriff and County employees access to its fuel pump and invoice for fuel usage monthly. The County does not require any additional staffing and/or equipment to implement this agreement. The agreement provides for one five-year renewal. This first amendment retroactively commences on January 9, 2022, and extends the term of the agreement through January 8, 2027. This first amendment renews the term, replaces the attachment, and adds standard Liability Insurance, Applicable Law, Non-Discrimination and E-Verify provisions. Other than the changes set forth herein, all other terms remain the same. (FDO Admin) District 7 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

13. Staff recommends motion to approve: an Interlocal Agreement (Agreement) with the State of Florida, State Attorney's Office, 15th Judicial Circuit (Office), providing fleet management services for a period of five years upon execution of this Agreement. **SUMMARY:** The Agreement provides the terms and conditions under which the County provides fleet management services to the State Attorney's Office. The Agreement establishes the mechanisms by which the County will: 1) provide fuel management, including the billing structure and annual notice of the administrative markup; 2) preventative maintenance and corrective repairs to vehicles and equipment; and 3) the management of the Vehicle Replacement Policy Fund. The terms of the Agreement are standard and the rates are consistent with those being charged to County Departments. In the event that the County must out-source the work, a separate commercial repair rate is provided. The rates may be adjusted annually but in no event shall the fees to the Office exceed the fee schedule applied to County Departments. The term of the Agreement is five years commencing on March 8, 2022. There are two renewal options for a period of five years each. The Agreement may be terminated by either party for any reason upon 60 days-notice. The County does not require any additional staffing and/or equipment to enter this Agreement. (FDO Admin) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

14. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 2 to the contract with Song & Associates, Inc. (R2021-0235) to provide professional architectural/engineering (A/E) design, programming, site plan approval, permitting, and construction administration services for phase 2 of the new Mosquito Control Division Compound project in the amount of \$392,859.10. **SUMMARY:** On February 9, 2021, the Board of County Commissioners (Board) approved the contract with Song and Associates, Inc. for the Mosquito Control Division Compound project to be located on an approximately 5.86-acre site at the intersection of Lantana Road and 95th Avenue South in unincorporated Lantana. The project entails a new chemical storage building, office/lab building, a fuel island and surface parking for deliveries, visitors and employees. Site clearing and infrastructure improvements are also required in order to add the new buildings and required site amenities. Originally, Staff had intended for this project to proceed in phases; however, in pursuing the design effort associated with the first phase, Staff has concluded that it would be most advantageous to complete the design for the entire project and then proceed to construction. The contract authorized the initial phase of the project for professional A/E design services for the construction of the chemical storage facility, and a fuel island with a canopy and control kiosk, as well as site development and improvements. CSA No. 1 authorized design and permitting services for required revisions to the storm water drainage. CSA No. 2 authorizes professional A/E design services for phase 2 of the project including programming, site plan approval, permitting and construction administration for the workshop and equipment storage building, enclosed vehicle and equipment storage building, office and light lab building and all remaining site work. The solicitation for design professionals was advertised on January 12, 2020 according to the Equal Business Opportunity Ordinance, with the final selection on September 17, 2020. The project was presented to the Goal Setting Committee on November 6, 2019. The Committee established Affirmative Procurement Initiatives of a Small Business Enterprise (SBE) participation evaluation preference of up to 15 points for the selection of the consultant and a minimum mandatory contract goal of 20% SBE participation. Song & Associates, Inc. is not an SBE, but has teamed up with three SBE and Minority Business Enterprise (MBE) sub-consultants on this project. The consultant has committed to 82% SBE participation for this contract. SBE participation for this CSA is 23.29%. To date, Song and Associates, Inc. has achieved 36.22% S/MBE participation on this contract. Song & Associates, Inc. has engaged Alan Gerwig & Associates, Inc., as a sub-consultant on this project. Anne Gerwig is a 1% owner of Alan Gerwig & Associates; Ms. Gerwig serves on the Citizens Advisory Committee on Health and Human Services, which is a purely advisory committee of the Board of County Commissioners. The Citizens Advisory Committee provides no regulation, oversight or policy setting recommendations regarding this contract, which was procured competitively. This disclosure is made pursuant to Section 2-443(d) of the Palm Beach County Ethics Code. Song and Associates, Inc. is a Palm Beach County Business. Funding for this project is from the Public Building Improvement fund. (Capital Improvements Division) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

15. Staff recommends motion to approve: Work Order No. 21-006 to the annual overhead door replacement contract with Door Systems of South Florida, Inc. (Contractor) (R2019-1311) for the Palm Beach County (PBC) Convention Center – Exhibit Hall Door Reconditioning Rebid project in the amount of \$330,000 for a period of 120 calendar days from permit issuance. **SUMMARY:** On September 10, 2019, the Board of County Commissioners (Board) approved the annual overhead door replacement contract with the Contractor for repair services for overhead and garage doors (rolling and sectional). Work Order No. 21-006 authorizes the repair, replacement and/or reconditioning of the existing doors at the PBC Convention Center. Additionally, the work includes but is not limited to the replacement of the crash bars; notification micro switches and brackets; hinges; door tracks and hangers; rollers and roller brackets; looped safety edge wiring; motors; controls; emergency stops; and automation capabilities. The existing doors are over 18 years old, in poor condition (rusted and dented) and at the end of their useful life. This project was competitively advertised, and new contractors were invited to bid on the project by submitting prequalification documents prior to the submission of the bid response. The Contractor will have 120 calendar days from permit issuance to substantially complete the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof are \$80 per day. On January 2, 2019, the Goal Setting Committee applied the following Affirmative Procurement Initiatives (API) for this annual contract: 1) Sheltered market for projects less than \$100,000, when three or more Small Business Enterprises (SBE) are qualified; or 2) 10% SBE Price Preference for single-trade projects \$100,000 or more. Since this project is over \$100,000, the applicable API is 10% SBE Price Preference. The Contractor is not a Small/Minority Business Enterprise and committed to 0% SBE participation on this work order. To date, there is no SBE participation on the annual overhead door replacement contract. Door Systems of South Florida, Inc. is not a local business. Funding for this project is from the Tourist Development Council-Building Renewal & Replacement fund. (Capital Improvements Division) District 2 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

16. Staff recommends motion to approve: an agreement for Art Services with Social Space, LLC in the amount of \$796,000 for the design, permitting, fabrication and installation of "VOTE!" sculptural installation for the approaching Palm Beach County Supervisor of Elections facility. **SUMMARY:** On August 13, 2021, a selection committee comprised of the Public Art Committee, Supervisor of Election Wendy Sartory Link and representative of Song and Associates, Inc. (project architect) unanimously recommended the proposal entitled "VOTE!" by artist Matthew Mazzotta (dba Social Space, LLC) as the Art in Public Places installation for the approaching Supervisor of Elections facility on Cherry Road in unincorporated Palm Beach County. "VOTE!" is a sculpture comprising of four voting booths with three flamingos, which aims to make the voting process more transparent and accessible. The flamingos symbolize the human experience of voting and assert every voter's individuality during the elections. "VOTE!" is planned to be sited at the southwest corner of the proposed building to facilitate wayfinding and announce the Supervisor of Elections facility as "the voting and elections place" as vehicular passengers and pedestrians approach the facility in an eastbound direction on Cherry Road from Military Trail. The agreement provides for all design, permitting, fabrication and installation services required to complete the installation concurrent with construction of the facility. The agreement is for a total amount of \$796,000 and duration of 593 days. Funding is from the \$51.05M NAV Pub Imp Rev Bonds, 21A, CP, SOE Bldg Bond issued to support construction of the approaching facility. (FDO ADMIN) District 7/Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to execute: a “Certification by State or Local Official of Pahokee Housing Authority (PHA) Plans Consistency with the Consolidated Plan or State Consolidated Plan” for the PHA in connection with its Annual Plan for Fiscal Year 2022/2023. **SUMMARY:** The PHA has prepared its Annual Plan for Fiscal Year 2022/2023 for submission to the Department of Housing and Urban Development (HUD). HUD requires the County to confirm that the plans and programs outlined in the Annual Plan are consistent with the goals and objectives set forth in the County’s Consolidated Plan. Consistency with the Consolidated Plan is documented through a “Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan”. The Department of Housing and Economic Development has reviewed the PHA Annual Plan Summary and determined that the goals, objectives and activities outlined therein are consistent with the Palm Beach County Consolidated Plan for Fiscal Years 2020/2024. Some specific goals outlined in the PHA’s Plan which are consistent with the goals set forth in the County’s Consolidated Plan are to expand the supply of assisted housing, improve the quality of assisted housing, increase assisted housing choices, provide an improved living environment, promote self-sufficiency and development of individuals and families and, ensure equal opportunity and affirmatively further fair housing. District 6 (HJF)

2. Staff recommends motion to receive and file: a HOME Investment Partnerships Program (HOME) Loan Agreement with New Urban Community Development Corporation, Inc. (NUCDC) in the amount of \$503,590. **SUMMARY:** The document has been executed on behalf of the Board of County Commissioners (BCC) by the County Administrator or Designee in accordance with Agenda Item 4B-1 and 6A-1, as approved by the BCC on November 5, 2019, and February 9, 2021, respectively. Agenda Item 4B-1, dated November 5, 2019, awarded \$500,000 in HOME funds to NUCDC and Agenda Item 6A-1, dated February 9, 2021 awarded an additional \$3,590 in HOME funds to NUCDC. On November 5, 2019, the (BCC) approved a HOME award of up to \$500,000 to NUCDC (R2019-1730) for the refinancing of the Project, a troubled 11-unit rental property, located at 1301 Henrietta Avenue in West Palm Beach. The new HOME investment in the Project was subject to HUD approval. HUD’s underwriting resulted in requirements for additional HOME funding in the amount of \$3,590 from the County (R2021-0259), along with revised terms which are codified in a Memorandum of Agreement with HUD. This Memorandum of Agreement required a County HOME investment of \$503,590, including up to \$460,000 for the mortgage payoff and \$43,590 for physical repairs. The \$503,590 is provided as a no-interest conditional loan that will be forgiven in its entirety at the conclusion of the new 30-year period of affordability. 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. **HOME Program grant funds are Federal funds, which require a 25% local match provided by State SHIP funds.** District 7 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

3. Staff recommends motion to receive and file: documents executed in connection with a loan made to Jem Farms, Inc. (Company) under the United States Department of Agriculture (USDA) Intermediary Relending Program (IRP).

A) Palm Beach County IRP Promissory Note, dated November 18, 2021 for \$150,000;

B) Palm Beach County IRP Loan Agreement, dated November 18, 2021 for \$150,000;

C) Palm Beach County IRP General Security Agreement, dated November 18, 2021 for \$150,000;

D) Palm Beach County IRP Guaranty Agreement dated November 18, 2021 for \$150,000;

E) Palm Beach County IRP Further Assurances and Errors and Omissions Statement, dated November 18, 2021; and

F) State of Florida Uniform Commercial Code Financing Statement for Jem Farms, Inc.

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 documents have been executed on behalf of the Board of County Commissioners by the County Administrator or designee in accordance with Resolution R2009-0725 and are now being submitted to the Board to receive and file. The Company will purchase, renovate and equip a pre-existing packing house to store, pack and ship produce grown in Belle Glade. The total project cost is \$2,771,750, which includes a \$150,000 USDA IRP loan which will be used for working capital. The project will create five full time equivalent jobs over five years. **These are Federal funds, which require no local match. District 6 (DB)**

MARCH 8, 2022

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 2 to the Consulting/Professional Services Lift Station Rehabilitation (Contract) with Mock, Roos & Associates, Inc. (Mock Roos) for the Lift Station Rehabilitation Bid Package 6 (Project) for a not to exceed amount of \$1,106,257.66. **SUMMARY:** On May 18, 2021, the Board of County Commissioners (BCC) approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2021-0681) with Mock Roos. CSA No. 2 provides for professional engineering services relating to design and permitting of the Project. These services include condition assessment reviews, subsurface utility exploration, surveying, geotechnical engineering services, construction plans, permitting and bid support services for the rehabilitation and refurbishment of 30 lift stations (LS) throughout the PBCWUD service area. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On June 3, 2020, the Goal Setting Committee applied an Affirmative Procurement Initiative of a 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 African American owned firms. The Contract provides for 47% SBE Participation, which includes 35% MBE participation, 35% MBE (B). CSA No. 2 with Mock Roos provides for 49.47% SBE participation which includes 34.16% MBE participation, 34.16% MBE (B). The cumulative SBE participation, including CSA No. 2 is 49.68%, which includes 34.69% MBE participation, 34.69% MBE (B). Mock Roos is a Palm Beach County based company. The Project is included in the PBCWUD FY22 budget. (PBCWUD Project No. 22-007) Districts 1, 2, 3 & 6 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. Staff recommends motion to receive and file: one executed Standard Potable Water and Wastewater Development Agreement, two Standard Potable Water and Wastewater Development Renewal Agreements, and one Memorandum of Understanding Regarding Water and Wastewater Service for the months of October and November 2021.

A) Standard Potable Water and Wastewater Development Agreement with RickWayne LLC, SDA #02-01166-000 (District 3), Recorded in OR BK 33013 PG 0442;

B) Standard Potable Water and Wastewater Development Renewal Agreement with Lennar Homes, LLC, SDA #13-01025-000 (District 6) Recorded in OR BK 33013 PG 0430;

C) Standard Potable Water and Wastewater Development Renewal Agreement with Pioneer Estates By Luxcom, LLC, SDA #13-01028-000 (District 6) Recorded in OR BK 33013 PG 0424; and

D) Memorandum of Understanding Regarding Water and Wastewater Service with Palm Beach County Facilities Development and Operations Department, MOU #01-01274-000 (District 2).

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants/ procurement items must be submitted by the initiating Department as a receive and file agenda item and are attached unless the documents have been recorded in the Public Records of Palm Beach County. The documents have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Palm Beach County Water Utilities Department in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the BCC to receive and file. Districts 2, 3 & 6 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. Staff recommends motion to approve: an Emergency Extension to the contract with Aquifer Maintenance and Performance Systems, Inc., (AMPS) for System-Wide Wellfield Maintenance for Palm Beach County Water Utilities Department (PBCWUD) to extend the Contract for an additional three month period with no increase of funds to the Contract amount. **SUMMARY:** On March 14, 2017, the Board of County Commissioners approved the Contract (R2017-0315) with AMPS, in the amount of \$1,189,076. On January 23, 2018, Amendment No. 1 (R2018-0075) to the contract renewed the contract for an additional 12-month period. On February 5, 2019, Amendment No. 2 (R2019-0217) to the contract renewed the contract for an additional 12-month period and increased the contract amount by \$500,000 to \$1,689,076. On March 17, 2020, Amendment No. 3 (R2020-0317) to the contract renewed the contract for an additional 12-month period and increased the contract amount by \$300,000 to \$1,989,076. On March 9, 2021, Amendment No. 4 (R2021-0359) to the contract renewed the contract for an additional 12-month period and increased the contract amount by \$300,000 to \$2,289,076. There are no additional extensions remaining on the contract. However, an extension of time equal to three months is required for the continuation of maintenance, which shall include replacement of associated pumps and motors reaching the end of life expectancy. Staff is therefore recommending this emergency extension to the contract. This emergency extension is beneficial to the interest, health, safety or welfare of the County. It is anticipated to have a new contract awarded and in place by the end of the extension period. The requested time extension shall not increase the contract funding. The contract extension does not guarantee nor authorize work. Work will be assigned during the three-month extension period utilizing formal Construction Delivery Orders (KDO) drawn against the contract, with the project cost identified on each KDO. The unit prices contained in the contract will be used to determine the cost of the KDO's. This contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2000-0064) prior to the adoption of the new Equal Business Opportunity Ordinance on October 16, 2018. The SBE participation goal established under the 2002 Ordinance was 15% overall participation. The contract provided for 0% SBE participation, however; AMPS has been certified as an SBE for the provision of well services, including drilling, plugging, consulting, maintenance and repair. AMPS is a Palm Beach County based company. (PBCWUD Project No. 16-001/VMG) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

4. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 10 to the Consulting/Professional Services General Utility, Architectural and Value Engineering Services (Contract) with Chen Moore and Associates, Inc. (CMA) for the Lift Station Rehabilitation Priority Work Phase 2 (Project) for a not to exceed amount of \$351,981.16. **SUMMARY:** On December 15, 2020, the Board of County Commissioners (BCC) approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2020-1891) with CMA. CSA No. 10 provides for professional engineering services relating to design and permitting of the Project. These services include condition assessment reviews, subsurface utility exploration, surveying, geotechnical engineering services, construction plans, permitting and award phase services for the rehabilitation and refurbishment of 14 lift stations throughout the PBCWUD service area. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On October 2, 2019, the Goal Setting Committee applied an Affirmative Procurement Initiative of a 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 African American owned firms. The Contract provides for 27% SBE Participation, which includes 17% MBE participation, 17% MBE (B). CSA No. 10 with CMA provides for 30.96% SBE participation which includes 30.96% MBE participation, 30.96% MBE (B). The cumulative SBE participation, including CSA No. 10 is 29.05%, which includes 15.38% MBE participation, 15.38% MBE (B). CMA is a Palm Beach County based company. The Project is included in the PBCWUD FY22 budget. (PBCWUD Project No. 22-001). Districts 1, 2, 3, 4, 5 & 6 (MWJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve: two reappointments, for Seat No. 2 and an At-Large member for Seat No. 5, to the Groundwater and Natural Resources Protection Board (GNRPB), both for a three-year term beginning March 12, 2022 to March 11, 2025.

<u>Seat No.</u>	<u>Reappoint</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated by</u>
2	Thomas Mullin	Attorney	3/11/25	Palm Beach County Bar Association
5	Beth Rappaport	Concerned citizen of Palm Beach County	3/11/25	Comm. Bernard Comm. Marino Comm. McKinlay Comm. Sachs Mayor Weinroth Vice Mayor Weiss

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 and that Seat No. 5 be filled by a concerned citizen. The GNRPB has seven seats currently filled and diversity count of Caucasian: 4 (57.14%), African-American: 2 (28.57%), Bi-racial: 1 (14.29%), Asian-American and Hispanic-American: 0 (0%). The gender ratio (female:male) is 4:3. Seat No. 2 is a Caucasian male and Seat No. 5 is a Caucasian female. Staff continues to address the need for increased diversity within our boards and will continue to encourage expansion of the Board's diversity. Countywide (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to receive and file: Task Assignment Change Order No. 1, to Task Assignment No. IP10, Contract No. FWC11357 with the Florida Fish and Wildlife Conservation Commission (FWC), adds 30 acres of invasive plant control to the Lake Pine work plan. This Change Order No. 1 does not alter the original cost reimbursement of \$58,074, nor the original completion date of April 26, 2022. **SUMMARY:** On April 17, 2012, the Board of County Commissioners approved FWC Contract No. FWC11357 (R2012-0573) for aquatic vegetation control for Lakes Clarke, Ida, Osborne, and Pine. Delegated authority to execute all future time extensions, task assignments, certifications, and any other forms associated with the Contract was approved at that time. This Contract facilitates County treatment and control of aquatic exotic plants within the Chain of Lakes. County work is reimbursed by FWC. 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.** Districts 2, 3 & 4 (SS)

3. Staff recommends motion to receive and file: Amendment No. 1 to the Marine Industries Association of Palm Beach County, Inc. (MIAPBC) Memorandum of Agreement providing for a one-year extension to the Agreement period from December 30, 2021 to December 30, 2022. **SUMMARY:** On April 2, 2019, the Board of County Commissioners approved a Memorandum of Agreement (Agreement) (R2019-0446) with MIAPBC for the development, engineering, design, and permitting of the Lake Worth Inlet Flood Shoal Dredging Project Phase I, effective April 2, 2019 and terminating on December 30, 2021. The County has received a one-year extension to provide additional time to obtain the United States Army Corps of Engineers Environmental Permits and complete the permit and design components of the grant. Delegated authority to execute all future time extensions, task assignments, certifications, and any other forms associated with the Agreement was authorized at that time. 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.** Districts 1 & 7 (SS)

MARCH 8, 2022

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

4. Staff recommends motion to receive and file: Amendment No. 2 to the Florida Department of Environmental Protection (FDEP) Agreement No. 19PB16 providing for a one-year extension beginning November 16, 2021 and expiring November 15, 2022. **SUMMARY:** On July 13, 2021, the BCC approved Amendment No. 1 to FDEP Agreement No. 19PB16 (R2019-1179), for the South Jupiter Hurricane Irma Recovery Project, a beach dune restoration project, extending the Agreement for a one-year period beginning on November 15, 2020 and expiring November 15, 2021. Amendment 2 will update the federal cost share for the Design and Construction tasks, and move funds from the Construction task to the Design task. The one-year extension is necessary in order to receive reimbursement for all eligible project-related costs. Delegated authority to the County Administrator or designee to sign all future time extensions, task assignments, certifications, and other forms associated with this Agreement was approved at that time. 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)

5. Staff recommends motion to:

A) receive and file Florida Inland Navigation District (FIND) Project Agreement Number PB-21-215 (Agreement) for an amount not to exceed \$734,100 for construction and monitoring of the South Lake Worth Inlet Sand Trap and Boat Channel Dredging Project (Project), beginning upon execution of the Agreement and terminating by September 30, 2023; and

B) approve a budget amendment in the Beach Improvement Fund for \$734,100 to recognize the revenue from the FIND Agreement No. PB-21-215.

SUMMARY: The County is implementing a portion of the South Lake Worth Inlet Management Plan. This work includes dredging sand from the interior sand trap and the Harvey E. Oyer, Jr. Park Boat Channel to nourish down drift beaches, expansion of the sand trap via mechanical excavation, and disposal of non-beach compatible material on adjacent habitat enhancement areas. The total cost of the Project identified in the FIND WAP Grant Application is \$5,399,800. The Waterways Assistance Program Grant will reimburse the County up to \$734,100 (15%) for design, construction, and monitoring costs associated with the Project. The grant reimbursement submittal deadline is September 30, 2023, unless a one-year extension is approved by FIND. The County's final cost share will be calculated from a combination of State grants and municipal partner funds determined by the award amount. The Agreement contains indemnification, and default and remedies provisions that differ 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 the dredging work, the amount of the grant award, County's current performance of such dredging work and liability for its acts, and the non-waiver of sovereign immunity beyond the statutory caps of Section 768.28, Florida Statutes. In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating department as a receive and file agenda item. District 4 (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

6. Staff recommends motion to receive and file:

A) the Annual Certified Budget for Mosquito Control (Form 13617) with the Florida Department of Agriculture and Consumer Services (FDACS) for mosquito control activities performed during the Fiscal Year period beginning October 1, 2021 through September 30, 2022; and

B) the Arthropod Control Budget Amendment (Form 13613) of \$50,689 with FDACS in the State Mosquito Control Fund with a decrease in the grant award amount.

SUMMARY: On June 15, 2021, the Board of County Commissioners (BCC) approved the County Administrator or designee to sign the Annual Certified Budget for Arthropod Control and State Financial Assistance Recipient Agreement (R2021-0820). The agreement normally provides arthropod control state aid to support mosquito control activities and it is based on the Annual Certified Budget submitted to the agency each September. However, no state aid has been awarded this year, and therefore there is no agreement. Although no agreement was required this year, on February 8, 2022, the County approved a Memorandum of Understanding with FDACS under which monthly reports are still required and due to FDACS to remain eligible for state funding in future years. 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. Countywide (SS)

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: an executed Entertainment Contractor Agreement with Mary Washington-Brooks in an amount not to exceed \$500 for the Mary Washington-Brooks concert at Canyon Amphitheater, on January 15, 2022. **SUMMARY:** The Parks and Recreation Department produces cultural activities to promote the quality of life in the communities it serves. A sponsorship in the amount of \$500 from Nostalgic America offset the expenses of the events at the Canyon Amphitheater. This Entertainment Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2008-1109, amended by Resolutions 2010-0644, 2014-0168 and 2017-1367. The Department is now submitting this agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. District 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. Staff recommends motion to approve: a budget transfer of \$150,000 within Zone 3 Impact Fee Reserves to the West Delray Regional Parking Expansion project. **SUMMARY:** This funding will be used to construct a new permanent asphalt parking lot in the area adjacent to the radio controlled device hobbyists at West Delray Regional Park. Funding for this budget transfer is from Zone 3 Impact Fee reserves. Reserve funding was accumulated through new fees and residual balances from completed impact fee eligible projects. District 5 (AH)

S. FIRE RESCUE

1. Staff recommends motion to receive and file: an Emergency Triage, Treat, and Transport (ET3) Model Annual Certification Form executed and submitted by the Fire Rescue Administrator, through the County Administrator, to the Centers for Medicare & Medicaid Services (CMS) for the period January 1, 2021 through December 31, 2021. **SUMMARY:** On December 8, 2020 (R2020-1832), the Board of County Commissioners approved the ET3 Model Participation Agreement for participation in the ET3 pilot program with CMS for a term beginning upon execution by CMS through December 31, 2027; and a 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. The County Administrator designated the Fire Rescue Administrator as her designee for the purpose of signing such documents. The ET3 Model Participation Agreement requires submittal of the attached Annual Certification Form regarding compliance with ET3 Model requirements and the accuracy, completeness and truthfulness of data and information generated or submitted relating to the ET3 Model program. This Annual Certification Form has been fully executed by the Fire Rescue Administrator and is now being submitted to the Board as a receive and file agenda item in accordance with Countywide PPM CW-O-051 for the Clerk and Comptroller's Office to receive and file. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

2. Staff recommends motion to ratify:

A) a FY 2021 Staffing for Adequate Fire and Emergency Response (SAFER) grant application electronically submitted to the U.S. Department of Homeland Security's (DHS) Federal Emergency Management Agency (FEMA) on February 3, 2022, requesting \$5,044,428 to fund 100% in Year One, Two and Three for 18 new firefighters, for a term of three years from the date of award; and

B) the designation of the County Administrator or designee to act as the County's representative for the purpose of electronically signing and submitting the FY 2021 SAFER grant application, including Assurances and Certifications via the DHS FEMA website.

SUMMARY: This grant application requests \$5,044,428 from DHS FEMA to fund 18 new firefighters to staff a 4-person Advanced Life Support (ALS) engine at new Fire Station 40. The total project cost identified in the grant application is \$5,044,428. **There is no required match for this grant for all three years.** If awarded, the requested positions will provide funding to staff a 4-person ALS engine at new Fire Station 40. This station is an in-fill station, positioned between two existing fire stations where the density and call volume has increased dramatically supporting the need for an additional fire station. This award will allow us to staff an ALS engine with four people over each of the three shifts. Due to the personnel coverage factor, the total number of firefighters required is 18. These 18 positions will be eliminated at the end of the grant and submitted as a supplemental request through the budget process prior to the expiration of the grant. Due to the preparation time, submittal deadlines, and BCC meeting dates, the grant application had to be submitted prior to full Board approval. District 6 (SB)

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to approve: the first amendment to the Interlocal Agreement to provide additional phone services to the City of Greenacres. **SUMMARY:** The City of Greenacres has an existing Interlocal Agreement with Palm Beach County (R2020-1834) for network and telephone services and has requested the addition of four additional basic telephone lines to their current 101 phone lines of telephone services, for a total of 105 phone lines. This first amendment of Exhibit B to the Interlocal Agreement which includes updated contract terms to provide basic telephone services to the City of Greenacres, will generate an increase in annual income of \$480 to the County from \$12,120 to \$12,600 for phone services. District 2 (DB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners authorizing the County Administrator or designee to sign the FY 2021-2022 annual Emergency Medical Services (EMS) County grant application for \$138,411 and sign the EMS Grant program change request forms related to the grant after the approval of the application by the Florida Department of Health, Bureau of EMS and forward same to the State of Florida Department of Health, Bureau of EMS. **SUMMARY:** The EMS County Grant (CSFA# 64.005) is an annual grant provided to Palm Beach County from the Florida Department of Health, Bureau of EMS, to improve and expand the EMS system. The funds are used to purchase EMS equipment which is distributed to EMS providers and other agencies that are eligible for EMS grant funding. **No County matching funds are required for this grant.** Countywide (SB)

2. Staff recommends motion to:

A) approve the second amendment to contract for Professional Services with Phamatech, Inc. (R2020-1393) extending the contract through September 30, 2022 for a not-to-exceed contract amount of \$58,000; and

B) 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: On September 15, 2020, the County executed a contract in the amount of \$116,000 with Phamatech, Inc. (R2020-1393) to provide drug testing services to approximately 15-20 indigent pretrial defendants per week who are on supervised release and are subject to court ordered random testing. The first amendment (R2021-0449) incorporated an 8-panel screen, bringing the unit rate from \$35 to \$35.75. The Palm Beach County Pretrial Service Office was negatively impacted by COVID-19 causing unforeseen barriers to the delivery of drug testing services for pretrial participants. As a result, the Macarthur Safety and Justice Challenge grant program applied for and was awarded a no-cost extension to September 30, 2022 in order to expend remaining funds. This amendment extends the contract period from December 31, 2021 to September 30, 2022 in alignment with the no-cost extension. Countywide (SF)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. Staff recommends motion to receive and file:

A) the first amendment to purchase order (PO) (B96980) with the Florida Department of Corrections (FDC) for contractual adult reentry services in the amount of \$500,000 for the period of July 1, 2021 through June 30, 2022, and

B) the following executed amendments with agencies to provide Adult Reentry Services for the period of July 1, 2021, through June 30, 2022 updating the unit rates effective October 1, 2021 through June 30, 2022:

- 1) The Lord's Place, Inc. (TLP) First Amendment to Contract #R2021-0934, and
- 2) Gulfstream Goodwill Industries, Inc. (GGI) First Amendment to Contract #R2021-0935.

SUMMARY: Palm Beach County's Regional and State Transitional Offender Reentry Initiative is funded by local, state, and federal sources. The Department of Public Safety Division of Justice Services solicits 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 selected as the providers for 2021-2024. 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 original purchase order was submitted as a receive and file at the October 5, 2021 Board of County Commissioners meeting. This first amendment to the PO updates case management unit costs for the three providers and language in the scope of service to include target client population, corrects a provider address, and establishes a timeline for monthly performance reports. The first amendments for TLP and GGI updates the case management unit costs reflected in the first amendment PO. Case Management Unit Rates for TLP will increase from \$11.73 to \$12.99 per 15 minutes of service delivery and GGI will decrease from \$13.63 to \$12.66 per 15 minutes of service delivery. The unit cost rate changes were made in order to reflect the new unit rates effective October 1, 2021. FDC agreed to make these changes at the start of the FY22 adult reentry contract period of October 1, 2021. On July 13, 2021, the Board of County Commissioners authorized the County Administrator or designee to execute amendments and administrative documents associated with contracts R2021-0934 and R2021-0935 on behalf of the Board of County Commissioners after approval of legal sufficiency by the County Attorney's Office and within budgeted allocations. These contract amendments are retroactive to October 4, 2021. Countywide (SF)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to approve: the Terms of Payment Processing Services Agreement with Genfare, a division of SPX Corporation. **SUMMARY:** On March 17, 2020, the Board of County Commissioners approved the Fare Collection System contract number F-19-056-SS_2020 with Genfare, a Division of SPX Corporation, in the amount of \$10,912,988.64, for a ten-year term with two three year options for renewal. As stated within the original contract in Article 48, Contractor investigated the option to implement the open payment processing using the County's payment processor of record. The contractor was unable to use Wells Fargo since they do not have the necessary transit software solution in place for Genfare to use. Genfare is requesting to use Chase Merchant Services through JPMorgan Chase Bank. The transaction fees for the Processing Services will be payable as set forth in the original contract in Exhibit C and at the rates set forth in Attachment B of Exhibit C of the original contract. There will be no fiscal impact for this agreement. Countywide (AH)

BB. YOUTH SERVICES

1. Staff recommends motion to receive and file: an Agency Affiliation Agreement (Agreement) with Nova Southeastern University, Inc. (University) for the term August 24, 2019, through August 23, 2020, with three automatic one-year renewal options, for its students to complete planned and supervised clinical experiences required for a Master's or Doctoral degree, at various Youth Services Department facilities, with no additional cost to the County. **SUMMARY:** The Youth Services Department's Residential Treatment and Family Counseling Division continues to be an authorized counselor training facility for many state colleges and universities offering degrees in graduate programs of psychology, social work or other related fields of educational study. Master's/Doctoral Degree programs require field education experience in order to meet degree and licensing requirements. The County will continue to offer its services and programs as a means for the students to obtain the necessary training and experience to earn their respective degree. **There are no costs associated with this Agreement.** On September 22, 2015, Agenda Item 3BB-2 authorized the County Administrator, or designee, to execute future Agreements, or amendments with the University, for clinical experiences on behalf of the Board of County Commissioners. Countywide (HH)

3. CONSENT AGENDA APPROVAL

CC. TOURIST DEVELOPMENT COUNCIL

- 1. Staff recommends motion to receive and file: a fully executed Palm Beach County FY2022 Grant Agreement managed by the Palm Beach County Sports Commission, Inc., on behalf of the Palm Beach County Tourist Development Council with Equestrian Sport Productions, LLC, for the promotion of the Winter Equestrian Festival, which is being held January 5 – April 3, 2022. The Tourist Development Council approved this grant of \$125,000 on October 6, 2021. The term of this agreement is July 5, 2021 – July 3, 2022. **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. This grant agreement is expected to generate a total of 85,000 room nights and will also fund an event which promotes sports tourism in Palm Beach County. District 6 (YH)

DD. COMMISSION ON ETHICS

- 1. Staff recommends motion to approve: the appointment of two individuals to the Commission on Ethics (COE) Review Committee.

<u>Appointment</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
David H. Baker	Appointed by BCC	COE

AND

Andrea McMillan	Appointed by BCC	COE
-----------------	------------------	-----

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 a proposed amendment to the Commission on Ethics Ordinance and make a recommendation to the Board of County Commissioners. The proposed amendment being considered is replacing one of the appointing entities currently referenced in the ordinance because it is no longer in existence in Palm Beach County with a new local organization to serve as an appointing entity. Although the Board of County Commissioners has authority to appoint individuals without input from the COE, the Ethics Commission is offering two candidates for consideration that they believe will provide the expertise and diversity needed to represent the citizens of Palm Beach County, and who previously served on the Review Committee in 2021. The COE nominees are David H. Baker, Esquire, and Andrea McMillan, Esquire. Countywide (HJF)

MARCH 8, 2022

4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A)** Proclamation declaring March 2022 as Florida Bicycle Month in Palm Beach County (District 4)
- B)** Proclamation declaring March 7-13, 2022 as Flood Awareness Week in Palm Beach County (District 2)
- C)** Certificate of Commendation in honor of Irwin Lebow, founder of Project H.O.P.E., for 30 years of helping those less fortunate (District 4)
- D)** Proclamation declaring April 22, 2022 as Sexual Assault Awareness Month in Palm Beach County (District 6)
- E)** Proclamation declaring March 14-18, 2022 as Government Finance Professionals Week in Palm Beach County (District 1)
- F)** Proclamation declaring March 2022 as Rita Thrasher Month in Palm Beach County (District 5)
- G)** Certificate of Recognition to Yollette Bonnet for her 20 years of service as CEO of FoundCare (District 7)

* * * * *

MARCH 8, 2022

5. REGULAR AGENDA

A. COUNTY ATTORNEY

1. **Staff recommends motion to commence:** a private attorney-client session in the case of In re: National Prescription Opiate Litigation, Case Number: MDL 2804 (N.D. Ohio) and Palm Beach County v. Purdue Pharma, et al., Case Number: 1:18-op-46121-DAP (N.D. Ohio). This session will be held during the Board of County Commission Meeting today **March 8, 2022 at 12:00 p.m.**, in the McEaddy Conference Room at 301 North Olive Avenue, 12th Floor, West Palm Beach, Florida, and the following persons will attend the meeting with the members of the Board of County Commissioners who are present today: Verdenia Baker, County Administrator; Denise Coffman, County Attorney; David Ottey, Chief Assistant County Attorney; Shayna E. Sacks, outside counsel; and Hunter Shkolnik, outside counsel. Pursuant to Section 286.011(8), Florida Statutes, the entire attorney-client session shall be recorded by a certified court reporter who shall record the discussion and proceedings, the names of all persons present at any time, and the names of all persons speaking. No portion of the session shall be off the record. The court reporter's notes shall be fully transcribed and filed with the clerk and shall be made part of the public record upon conclusion of the pending litigation. **SUMMARY:** The Board will discuss settlement negotiations. Countywide (DO)

5. REGULAR AGENDA

A. COUNTY ATTORNEY (Cont'd)

2. Staff recommends motion to approve:

A) the addition of four At-will positions to the County Attorney Office consisting of two Assistant County Attorney III, one Assistant County Attorney II and one Paralegal I beginning with proposed pay period March 12, 2022 for an estimated annual cost of \$455,000 (excluding benefits); and

B) a budget transfer in the amount of \$295,771 from the General Fund Contingency Reserves to County Attorney to appropriate the budget for the additional positions for six months.

SUMMARY: The County Attorney Office's Litigation section has been experiencing an unprecedented high turnover rate resulting from a combination of remuneration and quality work-life balance. The current complement is composed of nine attorneys including the Chief Litigation/Human Resources Attorney. The most senior attorney other than the Chief was hired in 2019 and has recently tendered her resignation effective March 11, 2022. The constant routine weeknights, weekend and periodic holiday work has resulted in loss of rest and recuperation and family time. While litigation staff is aware that trial preparation requires extra hours, the lack of recovery time following a trial is resulting in rapid burnout and turnover. In the last several years several highly experienced litigation attorneys have resigned or retired, thus causing the County Attorney Office to lose significant resilient bench strength available to assist and mentor our junior attorneys. In order to address these issues, staff recommends increasing the litigation staffing complement to reduce workload and increase the complement of experienced trial litigators. Approval of the additional positions to the County Attorney Office Complement will alleviate the workload of the litigation staff and minimize the turnover within the County Attorney Office. Countywide (DO)

5. REGULAR AGENDA

B. OFFICE OF RESILIENCE

1. Staff recommends motion to:

A) approve the Florida Department of Economic Opportunity's (DEO) Rebuild Florida General Planning Support Program's Community Development Block Grant Mitigation Program Standard Grant Agreement No. MT026 (Agreement), awarded to the Palm Beach County Office of Resilience for an amount not to exceed \$800,000 providing for the creation of a Vulnerability Assessment and Resilience Action Plan (Project) beginning as of the date of grant agreement execution and ending 48 months after execution by DEO;

B) approve a budget amendment of \$800,000 in the General Fund to recognize the revenue award from DEO; 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 \$800,000 for the development of a Vulnerability Assessment for unincorporated Palm Beach County and Western Palm Beach County, to the extent data is available, and a Resilience Action Plan for the entire County. Staff anticipates hiring a consultant to assist with the Project. The County is not required to provide a match for the Project. There is no net cost to the County. Staff recommends including a range of energy efficiency and renewable energy options in the Resilience Action Plan including options that could achieve net zero emissions targets for County and Community operations. Staff will present to the BCC on the subject of net zero emissions targets at a subsequent BCC Workshop to receive further direction. Countywide (RPB)

5. REGULAR AGENDA

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve: a Purchase and Sale Agreement (Agreement) with the property owner to acquire a 0.20-acre parcel (Parcel) improved with a 625 square foot home located at 9363 Old Dixie Highway, Lake Park, Florida, for \$295,000. **SUMMARY:** Approval of the Agreement will allow the Engineering Department to acquire a Parcel necessary for the construction of Congress Avenue Extension from north of Northlake Boulevard to Alternate A1A (SR 811), Palm Beach County (County) Project No. 2012517 (Project). The appraised value of the Parcel as of January 20, 2022 was \$275,000. The property owner had listed the Parcel for sale on the real estate market for \$334,999 in July 2021. The property owner's original counter-offer was \$309,000, excluding expert fees and costs. To avoid the additional costs normally associated with an eminent domain filing, the Engineering Department staff negotiated a purchase amount of \$295,000. The negotiated purchase amount represents approximately 7% above the appraised value, but approximately 12% below the property owner's original listing price. Pursuant to Palm Beach County Administrative Code Section 2, 305.08.1, BCC approval is required when the negotiated purchase amount exceeds \$250,000. **In accordance with Palm Beach County ordinance (2019-038), a supermajority vote (5 votes) is required by the BCC for all purchases of real property that require BCC approval.** District 1 (HJF)

5. REGULAR AGENDA

D. AIRPORTS

1. Staff recommends motion to approve:

A) a contract (Contract) with Alen Construction Group, Inc. (Alen) in the amount of \$6,900,000 and 460 calendar days for the 400 Hz Ground Power Units (GPU) Point of Use project at Palm Beach International Airport (PBI);

B) a budget amendment in the amount of \$6,900,000 in the Airport's Improvement and Development Fund to recognize \$6,900,000 of Passenger Facility Charge (PFC) Revenue, and provide budget in the amount of \$6,900,000 for project costs; and

C) a budget transfer of \$6,900,000 in the Airport's PFC Fund to transfer PFC Revenue to the Airport's Improvement and Development Fund; which includes a transfer from Reserves in the amount of \$6,900,000.

SUMMARY: This project was advertised utilizing the County's competitive bid process. On October 27, 2021, two bids were opened for the 400 Hz GPU Point of Use at PBI. Alen is located in Broward County, Florida and has been identified as the lowest responsible/responsive bidder in the amount of \$6,900,000. PBI provides a 400 Hz electrical connection at each jet bridge to power an aircraft when positioned at the gate. There are 28 existing jet bridges between Concourse B and C with 13 bridges located in Concourse B and another 15 bridges located in Concourse C. The 400 Hz distribution that was installed when the terminal was constructed in 1987 begins by converting 60 Hz to 400 Hz power in the 400 Hz System Central Plants located in each concourse. After conversion, the 400 Hz power is distributed to the aircraft via 400 Hz gate connection boxes mounted to each jet bridge that provide power to the aircraft. This project includes the replacement of the existing central 400 Hz system, including 400 Hz generators, 400 Hz gate connection boxes, and associated accessories, with new bridge mounted 400 Hz GPU, new electrical switchgear and associated conduits, conductors and accessories. In addition, the doors, exhaust fans, and fan coil units in each central plant room will be replaced. The project was presented to the Goal Setting Committee on August 16, 2021 and an Affirmative Procurement Initiative and due to the limited subcontracting opportunities, a 10% Small Business Enterprise Price Preference was applied. Although Alen is a licensed general contractor and a certified Minority Business Enterprise and will be performing \$1,509,463.80 of the work, Small/Minority/Women Business Enterprise (S/M/WBE) participation for this project is 2.22% based on the commodity codes assigned to Alen at the time of bid submission. Alen is working with the Office of Equal Business Opportunity to add additional commodity codes; therefore, it is anticipated the actual S/M/WBE participation for this project will exceed 2.22%. Pursuant to changes to Chapter 332, Florida Statutes, effective October 1, 2020, a governing body of a commercial service airport may not approve purchases of contractual services in excess of the Category Five threshold amount of \$325,000 provided in Section 287.017, Florida Statutes, on a consent agenda. This contract exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

5. REGULAR AGENDA

E. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to:

A) approve an Impact Fee Affordable Housing Assistance Program (IFAHAP) funding award in the amount of \$47,895 to LandTrust Holdings, LLC for the Major Drive project (Project);

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

C) approve a budget transfer of \$35,148 in Impact Fee Assistance Program – Roads Zone 2 to appropriate funds for the Major Drive project;

D) approve a budget transfer of \$10,301 in Impact Fee Assistance Program – Parks Zone 2 to appropriate funds for the Major Drive project; and

E) approve a budget transfer of \$2,446 in Impact Fee Assistance Program – Public Building to appropriate funds for the Major Drive project.

SUMMARY: On February 12, 2021, the Department of Housing and Economic Development issued a Notice of Funding Availability (NOFA) making \$3,124,923 in IFAHAP funding available from Palm Beach County's Fiscal Year 2020 funding cycle. LandTrust Holdings, LLC submitted an application in response to the NOFA. Staff recommends that up to \$47,895 be provided as a credit for impact fees associated with the Project. LandTrust Holdings, LLC will be given credits for Roads Zone 2 (\$35,148), Parks Zone 2 (\$10,301) and Public Building (\$2,446) Impact Fees for the construction of the Project. LandTrust Holdings, LLC will pay impact fees above the allocated \$47,895. The Project entails construction of a 14-unit townhouse rental complex to be located at 2126 Major Drive in unincorporated West Palm Beach. The developer is requesting IFAHAP assistance for 14 units. The Project will provide affordable housing to tenants with incomes below 140% of the Area Median Income. The units will be restricted to remain affordable for 30 years. **These funds are from interest earned by the Impact Fee Fund. District 3 (HJF)**

5. REGULAR AGENDA

F. PUBLIC SAFETY

1. Staff recommends motion to approve:

A) Interlocal Agreement with the School Board of Palm Beach County, Florida (SBPBC) setting forth the terms and conditions for acceptance of grant funds under Driver Education Safety Trust Fund (DESTF) Grant Program for Fiscal Year (FY) 2022(Grant Acceptance Agreement); and

B) Interlocal Agreement with the SBPBC for the implementation of the DESTF Grant Program and naming SBPBC as the Grant Administrator (Grant Administrator Agreement); and

C) Agreement with The Benjamin School setting forth the terms and conditions for acceptance of grant funds under DESTF Grant Program for FY 2022 (Grant Acceptance Agreement); and

D) Grant Program Procedures to establish criteria for managing the Driver Education Safety Trust Fund.

SUMMARY: Pursuant to the Dori Slosberg Driver Education Safety Act (Section 318.1215, Florida Statutes), the Palm Beach County Clerk of the Circuit Court and Comptroller shall collect an additional \$5.00 with each civil traffic penalty levied in the Palm Beach County to be used for driver education programs. Section 10-9 of the Palm Beach County Code provides for the collection of \$5.00 to fund a DESTF Program, which includes the creation of a DESTF and how these funds will be disbursed to public and non-public schools annually. The Grant Acceptance Agreement with SBPBC will grant disbursements from the DESTF to be used for the SBPBC driver education safety program in Fiscal FY 2022. The original Grant Administrator Agreement in 2003 named SBPBC as the grant administrator to utilize their experience and expertise in administering disbursements to non-public schools. The SBPBC's responsibilities under the Grant Administrator Agreement included assisting the County Administrator in establishing Grant Program Procedures for non-public schools, advertising the Grant Program, processing and evaluating grant applications, and providing written recommendations on the grant applications to the BCC. In turn, the County Administrator provides clerical and administrative support to the SBPBC as needed. The Grant Administrator Agreement with SBPBC requires updates to incorporate standard agreement language and provides for an automatic extension each year for up to four additional one year terms unless either party provides notice of termination. As part of the DESTF Grant Program, The Benjamin School was the only private school applicant. The Benjamin School was approved to receive DESTF disbursements. The Grant Acceptance Agreement with The Benjamin School will grant disbursements from the DESTF to be used for The Benjamin School driver education safety program in FY 2022. The same agreement will be used for any other non-public schools in Palm Beach County requesting future disbursements from the Driver Education Safety Trust Fund to support their driver safety education programs. Countywide (MJ)

5. REGULAR AGENDA

G. PLANNING, ZONING & BUILDING

1. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on March 22, 2022, at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida; amending Palm Beach County Code Chapter 17 (Ordinance 2011-015) pertaining to Mortgage Foreclosure Registration, Section 17-395, Providing for Repeal of Laws in Conflict; Providing for a Savings Clause; Providing for Severability; Providing for Inclusion in the Code of Laws and Ordinances; Providing for Enforcement; Providing for Penalty; Providing for Captions; and Providing for an Effective Date. **SUMMARY:** The Palm Beach County (County) Mortgage Foreclosure Registration Ordinance (Ordinance) requires banks and mortgage companies to register properties in default or foreclosure with the County or its designee, to make inspections of the properties, and to identify a property manager or maintenance company as a point of local contact for each property. The County Ordinance and fee were established in 2011 in response to the impacts the mortgage foreclosure crisis of 2008 had on properties and neighborhoods due to resulting property vacancies, decreases in property maintenance, and other negative impacts that stem from a financial crisis. The County was challenged to identify and/or locate responsible parties to notify if a property was in disrepair or to secure and maintain the properties while going through the foreclosure process and this Ordinance addressed these issues. Currently, and since implemented, the County has used a vendor to register the applicable properties and to maintain a property status and contact database that is accessible by the County Code Enforcement Division. Per the Ordinance, the bank or mortgage holder pays the fee to register and annually renew, if applicable, each property. The volume of properties registering has significantly decreased and in reviewing the utility of the program it is advised that the registration fee should be amended to cover only the cost of registration. This amendment revises the annual registration fee imposed to clearly reflect that the fee that is collected by the County or its designee is to cover the cost of the registration program. Unincorporated (SF)

* * * * *

RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE ENVIRONMENTAL CONTROL BOARD

MARCH 8, 2022

6. BOARD OF COUNTY COMMISSIONERS SITTING AS THE ENVIRONMENTAL CONTROL BOARD

A. HEALTH DEPARTMENT

1. [Staff recommends motion to approve on preliminary reading and advertise for Public Hearing on March 22, 2022 at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, sitting as the Environmental Control Board; amending Palm Beach County Code Chapter 11, Article II, Section 11-20 (Ordinance 78-5, as amended by Ordinances 87-22, 89-14, 94-26, 97-58, 08-011, and 2014-028), and Section 11-24 (Ordinance 78-5, as amended by Ordinances 79-15, 85-25, 85-43, 87-22, 89-14, 92-23, 97-58, 08-011, and 2014-028); providing for County Health Department and Solid Waste Authority permits, licenses and approvals; providing for a fee schedule; providing for applicability; providing for a savings clause; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; and providing for an effective date. **SUMMARY:** The Palm Beach County Environmental Control Act, Chapter 77-716, Laws of Florida, as amended, establishes the Palm Beach County Board of County Commissioners as the Palm Beach County Environmental Control Board and authorizes the Environmental Control Board to adopt, revise, and amend from time-to-time appropriate ordinances for the implementation, effective enforcement, administration and interpretation of the Act. Palm Beach County Environmental Control Ordinance No. 78-5, as amended and codified in Chapter 11, Article II of the Palm Beach County Code was adopted for this purpose. The proposed ordinance will amend the list of activities required to be permitted, licensed or approved as necessary due to change in the laws and regulations of the State of Florida, and update the fee schedule as necessary to keep pace with rising costs and current regulatory requirements. Major changes involve (a) adding fees in the newly established water laboratory for microbiological and chemical sampling, testing, and analysis, (b) increasing selected existing fees to offset increases in operating costs, (c) the addition of new fee categories. Attachment 2 provides a narrative and fiscal analysis of the proposed fee changes. If the ordinance is approved, the proposed fee schedule will result in a revenue increase of \$974,840. The League of Cities reviewed the proposed ordinance amendment and adopted a motion of “no objection”. Countywide (HH)

* * * * *

ADJOURN AS THE ENVIRONMENTAL CONTROL BOARD

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

7. BOARD APPOINTMENTS

A. ADMINISTRATION

- 1. **ADD-ON:** Staff recommends motion to appoint: one individual to the Health Care District of Palm Beach County for a four year term beginning March 8, 2022 and ending September 30, 2025:

<u>Appoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Dr. Teresa Johnson	1	Elected Official in PBC	Comm. Bernard
<u>OR</u>			
Erica Whitfield	1	Elected Official in PBC	Comm. Kerner Comm. McKinlay Comm. Marino Mayor Weinroth Comm. Sachs

SUMMARY: Per Chapter 2003-326, Laws of Florida, the Health Care District of Palm Beach County is comprised of seven members. The appointing authority shall consider the diverse geographic areas of Palm Beach County in selecting individuals to serve on the Health Care District of Palm Beach County, and at least one person, but not more than two shall reside in the Glades Area. The Governor shall appoint three members; the Board of County Commissioners shall appoint three members, one of which must be an elected official at the time of appointment; and one member shall be the Director of the Palm Beach County Health Department. Members may serve two, four-year terms. The Seat No. 1 term will be begin upon appointment of the BCC, March 8, 2022 and end September 30, 2025. Cory Neering, former West Palm Beach City Commissioner, most recently filled the seat. Mr. Neering did not seek reelection to the City Commission and was not eligible for appointment since the seat qualification requires one to be an elected official at the time of appointment. Dr. Teresa Johnson currently serves as a member of the Town of Haverhill City Commission; Erica Whitfield currently serves as a member of the School Board of Palm Beach County. The diversity of the Palm Beach County appointed representatives to the Board include one Caucasian male and one African-American female. The other appointees to the board include two Caucasian male, one Hispanic-American female and one Caucasian female. Countywide (HH)

B. COMMISSION DISTRICT APPOINTMENTS

MARCH 8, 2022

8. 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 (LDC)

B. COUNTY ATTORNEY

MARCH 8, 2022

9. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

District 2 – COMMISSIONER GREGG K. WEISS

Request for off-site Proclamation declaring April 21, 2022 as Women in Leadership 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 declaring March 2022 as Women’s History Month in Palm Beach County

Request for off-site Proclamation declaring April 1, 2022 as The Lord’s Place SleepOut Homelessness Awareness Day in Palm Beach County

District 7 – COMMISSIONER MACK BERNARD

Request for off-site Proclamation declaring March 2022 as Irish American Heritage Month in Palm Beach County

Request for off-site Proclamation declaring March 2022 as Let’s Move Palm Beach County Month

MARCH 8, 2022

10. MATTERS BY THE PUBLIC – 2:00 P.M.

* * * * *

MARCH 8, 2022

11. 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."