

October 18, 2022  
9:30am

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

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**OCTOBER 18, 2022**

<b><u>PAGE</u></b>	<b><u>ITEM</u></b>
56	<b>ADD-ON:</b> Request for off-site Certificate of Congratulations on Your Retirement to Dr. Debra Robinson (District 7)
56	<b>ADD-ON:</b> Request for off-site Certificate of Recognition to Tabernacle Missionary Baptist Church on Celebrating 129 years (District 7)

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

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

**OCTOBER 18, 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 8-43)**
- 4. SPECIAL PRESENTATIONS (Page 44)**
- 5. PUBLIC HEARINGS - 9:30 A.M. (Page 45)**
- 6. REGULAR AGENDA (Pages 46-53)**
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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** declaring Palm Beach County Day (PBC Day) 2023 to have a public purpose as it relates to lobbying on behalf of the residents of Palm Beach County (PBC). **SUMMARY:** Each year, in conjunction with the Intergovernmental Affairs Department, Public Affairs coordinates PBC Day. PBC Day is a lobbying event that takes place in Tallahassee during the opening week of the Florida Legislative Session. The event's goal is to provide opportunities for PBC's Commissioners, government leaders and business leaders to meet both formally and informally with state legislators in an effort to promote PBC's legislative agenda and to secure state funding for PBC priorities. PBC Public Affairs believes it is time to return to a bigger presence in Tallahassee in order to promote the County's agenda with more impact. We would like to propose that PBC Day would once again solicit sponsorship dollars in an effort to increase the county's visibility and impact in Tallahassee during PBC Day. An opinion was requested by Public Affairs from the Commission on Ethics (COE) on whether the Palm Beach County Code of Ethics (Code) prohibit PBC employees from soliciting or accepting sponsorship donations for PBC Day events. The response from the COE in the attached opinion to this agenda item, along with two conditions regarding the expenditure and acceptance of the funds, was that the request for contributions could occur so long as the events are declared to have a public purpose. The County Administrator concurs with answers provided in this request. Countywide (LDC)

B. CLERK & COMPTROLLER

1. **Staff recommends motion to receive and file:** Warrant List – Backup information can be viewed in the Clerk & Comptroller's Office.
2. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide

OCTOBER 18, 2022

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve: a contract with R & D Paving, LLC (RDP) in the amount of \$1,378,374.35 for the construction of SR 7 and Weisman Way (Project). **SUMMARY:** Approval of this contract will authorize the construction services necessary to provide intersection improvements at SR 7 and Weisman Way. The Affirmative Procurement Initiative selected for this contract on September 1, 2021 by the Goal Setting Committee is a 20% minimum mandatory Small Business Enterprise (SBE) participation. RDP agreed to 30.88% SBE participation. Bids for the contract were received by the Engineering Department on July 12, 2022. RDP was the lowest responsive bidder of four bidders. The contract time for the Project is 270 calendar days. RDP has an office located in Palm Beach County and is a certified SBE company. **This Project is included in the Five-Year Road Program. District 6** (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

2. Staff recommends motion to receive and file: an Adopt-A- Road agreement with:

**A)** Deborah Hall, dated January 28, 2022, for Prosperity Farms Road, from PGA Boulevard to Inland Cove Road;

**B)** Mary Brodbeck, dated January 14, 2022, for Jog Road, from Okeechobee Boulevard to Vista Parkway North;

**C)** Andrew Chantiloupe Jr, dated March 23, 2022, for Dixie Highway, from NW 20<sup>th</sup> Street to NW Spanish River Boulevard;

**D)** Austin Whitehead, dated March 30, 2022, for Northlake Boulevard, from Memorial Park Road to North State Road 7 Extension;

**E)** Woolf Realty, Inc., dated April 5, 2022, for Congress Avenue, from Lantana Road to John F Kennedy Drive;

**F)** Alternatives for You, LLC dated January 10, 2022, for Northlake Boulevard, from Roan Lane to Old Dixie Highway;

**G)** Douglas I. Leifert, P.A., dated April 5, 2022, for Camino Real, from Powerline Road to Camino Del Mar;

**H)** Romano Law Group, P.A., dated February 11, 2022, for Haverhill Road, from Okeechobee Boulevard to Community Drive;

**I)** Romano Law Group, P.A., dated February 11, 2022, for North Congress Avenue, from Belvedere Road to Okeechobee Boulevard; and

**J)** Wilneeda A. Emmanuel, dated March 7, 2022, for Military Trail, from Hypoluxo Road to Lantana Road.

**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. These agreements were executed by the County Engineer, per Resolution R2021-0852. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. Staff recommends motion to receive and file: the official transcript for the closing of the First Amendment to the Palm Beach County, Florida Education Facility Refunding Revenue Bond Series 2020A and 2020B for the Pine Crest Preparatory School, Inc. (Bonds). **SUMMARY:** The official transcript for the Bonds is being submitted to be received and filed in the Minutes Department. Countywide (HJF)

F. AIRPORTS

1. Staff recommends motion to approve: a list of 12 charitable organizations to receive the proceeds (coins) from fountains at Palm Beach International Airport (PBI) during the period October 1, 2022 through September 30, 2023. **SUMMARY:** On March 14, 1989, the Board approved the concept of collecting contributions from PBI's fountains on a monthly basis and contributing those funds to different charitable organizations as recommended by the Community Services Department and approved by the Board. The non-profit organizations listed on Attachment "A" to this agenda item have been recommended by the Community Services Department. The non-profit organizations are selected based on the results of the new funding allocations that were approved by the Board on July 12, 2022. The twelve agencies that were approved for new funding were selected to receive the FY23 fountain donations. Average monthly contributions for the prior year was approximately \$40. In addition, the list will be provided to Paradies-Palm Beach, LLC, PBI's retail concessionaire, who will send the contributions from fountains in their gift shop areas, along with an additional contribution of \$250, to the recommended recipients pursuant to the Retail Concession Agreement, (R2007-2052, as amended). Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. Staff recommends motion to approve:

**A)** Change Order No. 4 to Amendment No. 4 of the Construction Manager (CM) at Risk Contract (Contract) with The Morganti Group, Inc. (MGI) for CM at Risk Services for Airport Improvements for Palm Beach County Department of Airports (Department) in the amount of \$302,294.97 for Work Order MC 15: Escalator Replacement at Palm Beach International Airport (PBI); and

**B)** a budget transfer of \$302,295 in the Airport's Improvement and Development Fund to provide for the project, including a transfer from Reserves in the amount of \$302,295.

**SUMMARY:** Amendment No. 4 (Work Order MC 15) in the amount \$8,145,981 and 907 calendar days was approved by the Board on September 15, 2020 (R2020-1336) for the Escalator Replacement at PBI. Change Orders No. 1-3 to Amendment No. 4 in the amount of \$1,428,808.45 were approved under the delegated authorities detailed in PPM CW-F-050. Approval of Change Order No. 4 in the amount of \$302,294.97 will allow the replacement of the handrails and flooring on the stairs and balconies adjacent to the two escalators (J and N) that were replaced in Concourse A. This change order also includes the removal of damaged wallpaper adjacent to Escalator J and refinishing of the wall. Due to the age and poor condition of the wallpaper, it cannot be repaired or matched. MGI has committed to a Disadvantaged Business Enterprise (DBE) goal of 12% for this contract. DBE participation for this change order is 31%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to receive and file: termination for default of the annual electrical contract with Ampro, Inc. (Contractor) (R2020-1030) including Work Orders 20-010 and 20-011 in the cumulative amount of \$122,322. **SUMMARY:** On August 25, 2020, the Board of County Commissioners (Board) approved the annual electrical contract with Ampro, Inc. for electrical services associated with repairs, improvements, renovations to County properties. In accordance with Policy and Procedure Memorandum (PPM) CW-F-050, on September 22, 2020, the Director of Facilities Development and Operations (FDO) executed work order No. 20-010 for the Ocean Inlet Park Lighting Replacement project in the amount \$54,609 and Work Order 20-011 for the West Boynton Park – Lighting Replacement project in the amount \$67,713. On July 18, 2022, the FDO Director sent the Contractor a notice of default in accordance with General Condition 24.1 of the contract for failure to proceed with the work, failure to meet the contract schedule, failure to make progress on the work, and abandonment of the work. The notice of default stipulated that the Contractor had three calendar days from Notice of Default to submit an acceptable remedial plan to FDO and to begin to take steps to cure its default. FDO did not receive the remedial plan from the Contractor within the timeframe allotted. Consequently, on August 3, 2022, the Director of FDO executed a termination for default for the annual electrical contract (R2020-1030) and associated work orders (20-010 and 20-011) in accordance with General Condition 25. Additionally, FDO requested that the Purchasing Department suspend the Contractor from participating in County procurements for a period not to exceed two years. The request for suspension is under review by the Purchasing Director. This contract termination is being submitted to the Board as a receive and file item. (Capital Improvements Division) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 06 with Architecture Green LLC (R2017-1042) (Consultant) to provide additional professional services for the final phase for the Canyon District Park project located at 8788 Senator Joe Abruzzo Avenue, Boynton Beach in the amount of \$524,500.55. **SUMMARY:** On August 15, 2017, the Board of County Commissioners (Board) approved the design contract (R2017-1042) with the Consultant for the new Canyon District Park. CSA No. 06 authorizes additional professional services including master planning, design, permitting assistance, and construction administration services for the addition of a lighted baseball complex with four varying size fields to include natural sports turf and a one-story approximately 1,600 sq. ft. concessions building, paved and lighted parking areas, a secondary park access and interior road, two sand volleyball courts, several support and public structures and other amenities. This work is the final phase of professional services needed to complete this project. The solicitation for this project was advertised on November 27, 2016 according to the Small Business Enterprise (SBE) Ordinance in place at the time with a SBE goal of 15%. The Consultant is a certified SBE and committed to an SBE goal of 76% for the contract. The SBE participation for CSA No. 06 is 77.68%. To date, the cumulative SBE participation achieved on this contract, including CSA No. 06, is 76.98%. The Consultant is a local business. **The funding source for this project is from the Park Impact Fees Zone 3 Fund.** (Capital Improvements Division) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve: Change Order No. 1 to Amendment No. 2 (R2021-0332) of the construction manager at risk continuing contract with Robling Architecture Construction, Inc. (R2020-1690) increasing the Guaranteed Maximum Price for construction management services for the Dubois Pineapple Packing House Restoration project in the amount of \$75,015.95 and extending the project duration by 366 days. **SUMMARY:** On March 9, 2021, the Board of County Commissioners (Board) approved Amendment No. 2 (R2021-0332) to the continuing construction manager (CM) at risk contract with Robling Architecture Construction, Inc. (Robling) in the amount of \$437,992. Amendment No. 2 authorized the restoration of the historic Pineapple House including the roof, which is at the end of its useful life; wood framing repairs; new windows; new doors; new electrical utilities and a new heating ventilation and air condition system. Amendment No. 2 also authorized the relocation of the Pineapple House to approximately 100 yards south of its current location in the park, so that it is no longer in a flood zone. Change Order No. 1 to Amendment No. 2 includes construction phase services due to unforeseen termite damage conditions including restoration of damages discovered in the west wall, boric acid treatment at all exterior wood framework and rough carpentry changes, which will result in a time extension of 366 days to the contract duration in order to procure the specialized wood material and milling required for the historic property and to complete the work. On November 17, 2020, the Board approved the continuing CM contract with Robling for construction management services for capital projects under \$4,000,000. This continuing construction management contract was presented to the Goal Setting Committee on December 4, 2019 and the Committee established Affirmative Procurement Initiatives of a Small Business Enterprise (SBE) evaluation preference of ten points for the selection of the construction manager and a mandatory 20% SBE subcontracting goal on the continuing contract. Robling committed to 10.93% for Amendment No. 2. SBE participation for this change order is 0%. To date, the cumulative SBE participation for this project is 9.33%. Robling is a Palm Beach County business. **The funding source for this change order is from the Infrastructure Sales Tax Fund.** (Capital Improvements Division) District 1 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to approve:

**A)** a contract with Hatcher Construction & Development, Inc. (Hatcher) to provide construction manager at risk services for the Gramercy Park Neighborhood Center project, located at 5615 Park Avenue, West Palm Beach; and

**B)** Task Order No. 1 with Hatcher for preconstruction services in the amount of \$52,000.

**SUMMARY:** The Gramercy Park Neighborhood Center project includes, but is not limited to the construction of an approximately 11,000 square feet neighborhood center located at the corner of Park Avenue and 45th Street. The center consists of a large multi-purpose room, classroom, kitchen, offices and building support spaces. Site amenities include a parking lot, landscaping and a mulch-surfaced walking trail. Pre-construction services include validating constructability, cost estimating, and procurement services. Once the construction documents are completed, the construction manager (CM) will bid the construction subcontracts and provide a Guaranteed Maximum Price. The construction of the facility will be authorized through a GMP amendment to the contract, which will be presented to the appropriate approval authority. The CM was selected through a competitive solicitation in accordance with the federal requirements provided by the Department of Housing and Economic Development. Under the federal requirements, this project has a 22.4% minority and 6.9% female Equal Employment Opportunity participation goal. After good faith efforts, Hatcher committed to 100% minority participation for Task Order No. 1. There is no female participation on Task Order No. 1. Under the federal requirements the goals are not mandatory, provided the contractor exercised good faith efforts. Hatcher is a local business. The total project cost is estimated at \$5,200,000. The funding source for this project is from the 2005 \$25 Million General Obligation Recreational and Cultural Facilities Bond Fund. (Capital Improvements Division) District 7 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. Staff recommends motion to approve:

**A)** Amendment No. 8 to the continuing construction management at risk contract with Robling Architecture Construction, Inc. (R2020-1690) establishing a Guaranteed Maximum Price (GMP) for the Herman Brice Complex Power and Heating Ventilation and Air Conditioning Replacement project in the amount of \$591,816 for a period of 180 days from notice to proceed;

**B)** Amendment No. 9 to the continuing construction management at risk contract with Robling Architecture Construction, Inc. (R2020-1690) establishing a GMP for the Herman Brice Complex and Apparatus Room Generator project in the amount of \$1,813,961 for a period of 180 days from notice to proceed; and

**C)** A budget transfer in the amount of \$1,754,950 from the Fire Rescue Improvement fund to fund the projects under Amendments No. 8 and 9 for the Herman Brice complex.

**SUMMARY:** On November 17, 2020, the Board of County Commissioners (Board) approved the continuing contract with Robling Architecture Construction, Inc. for construction management services for capital projects under \$4,000,000. Amendment No. 8 authorizes construction management services to install air conditioning and electrical circuitry capable of climatizing select areas of the complex that are currently not air conditioned and powering new equipment. These services are required to provide air conditioning to two non-conditioned offices, which are used as a lunchroom and a recovery room while training takes place. The electrical circuitry will power new overhead shore power stations, fans, welding equipment, and an ice machine. Additionally, the work includes fire protection, plumbing, minor drywall, insulation, masonry and painting work. Amendment No. 9 authorizes construction services needed to modify the existing electrical system to integrate the main building and apparatus room, at the Herman Brice complex, onto the existing generator power supply. The work allows for the existing generator to produce sufficient power supply to power the entire Herman Brice complex during power outages. The construction manager (CM) will have 180 calendar days from Notice to Proceed to substantially complete the projects authorized under Amendment No. 8 and 9, respectively. The liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof for the respective projects are \$120 per day. This continuing construction management contract was presented to the Goal Setting Committee on December 4, 2019 and the Committee established Affirmative Procurement Initiatives of a Small Business Enterprise (SBE) evaluation preference of ten points for the selection of the construction manager and a mandatory 20% SBE subcontracting goal on the contract. SBE participation is 5.18% for Amendment No. 8 and 2.94% for Amendment No. 9. To date the CM has achieved 35.88% SBE subcontracting participation under its continuing contract. Robling Architecture Construction, Inc. is not a certified SBE but is a local business. The funding source for these projects is from the Fire Rescue Improvement Fund. (Capital Improvements Division) District 2 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. Staff recommends motion to approve: an Interlocal Agreement (Agreement) with the School Board of Palm Beach County (Participant) to allow for direct access to the County's Public Safety Radio System (System) from October 18, 2022 through October 17, 2027. **SUMMARY:** This Agreement provides the terms and conditions under which the Participant can directly access the System. The terms of this Agreement are standard and have been offered to all municipalities and local branches of state and federal agencies where connection through an established municipal hub is not technically feasible. The Participant has been interoperable with the County's System through the countywide common talk groups since 2004. The Participant currently operates under the Municipal Public Service Communications Consortium's (MPSCC) radio system. The Agreement will provide the Participant a direct data connection to the MPSCC radio system for operability to the Participant's current radio system and dispatch consoles for its "South Talk-Group". The Agreement requires Participant to pay a one-time, non-reimbursable \$3,000/unit access charge as well as annual fees of \$300/unit towards the renewal and replacement fund and \$163.53/unit towards maintenance and operation of the System infrastructure. The annual fees are consistent with those being charged to County Departments. In addition, the Participant is required to pay all costs associated with Participant's subscriber units and to comply with the established operating procedures for the System. The "South Talk-Group" currently includes 30 radio units but additional units might be added in the future. This Agreement provides for an initial term of five years with two renewal options, each for a period of five years. This Agreement may be terminated by either party, with or without cause, on October 1<sup>st</sup> of any year, with a minimum of six months' notice. (ESS) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to receive and file: Amendment 001 to Agreement R2021-1522, a two-year agreement for \$537,297 with the City of Riviera Beach extending year one's Community Development Block Grant (CDBG) expenditure deadline from November 30, 2022 to December 31, 2022. **SUMMARY:** These documents have been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 3I-4, as approved by the BCC on October 19, 2021. Amendment 001 extends the 1<sup>st</sup> year deadline to expend \$268,648.50 in CDBG funds made available to the City for Code Enforcement activities. The completion date for year one is therefore extended from November 30, 2022 to December 31, 2022. The time extension is needed due to delays the City experienced in implementing the Code Enforcement Activities for Fiscal Year 2021/2022 of the City's Code Enforcement program. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. **These are Federal CDBG funds, which require no local match.** District 7 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

2. Staff recommends motion to receive and file: seven agreements under the Fiscal Year 2022-2023 Community Development Block Grant (CDBG) Program, in the amount of \$162,342:

A) Aid to Victims of Domestic Abuse, Inc. in the amount of \$24,833 for transitional housing and supportive services;

B) The Coalition for Independent Living Options, Inc. in the amount of \$22,399 for prepared meals to disabled individuals;

C) Healthy Mothers/Healthy Babies Coalition of Palm Beach County, Inc. in the amount of \$10,712 for assistance to uninsured low income pregnant women and their families in order to access health care, to secure payer sources and other services for prenatal care;

D) Legal Aid Society of Palm Beach County, Inc. in the amount of \$56,192 for fair housing education, outreach, advocacy and enforcement activities;

E) Place of Hope, Inc. in the amount of \$16,069 for housing and case management services to abused children;

F) Sickle Cell Foundation of Palm Beach County, Inc. in the amount of \$18,016 for comprehensive case management services; and

G) Vita Nova, Inc. in the amount of \$14,121 for supportive housing and life skills training for youths who have aged out of foster care.

**SUMMARY:** The seven agreements have been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development (DHED) in accordance with Resolution R2022-0746 as approved by the BCC on July 12, 2022. On July 12, 2022, the BCC approved the Palm Beach County Action Plan for Fiscal Year 2022-2023, which included \$162,342 in CDBG funds allocated to these non-profit agencies to provide various public services. An employee from one agency that was awarded CDBG funds serves on a County-related advisory group. Kimberly Rommel-Enright, an employee of the Legal Aid Society of Palm Beach County, Inc., serves on the HIV CARE Council, a County Advisory Board. This board provides no regulatory oversight, management, or policy-setting recommendations regarding their agency contracts. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. **These are Federal CDBG funds, which require no local match.** Countywide (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

3. Staff recommends motion to approve: five Request for Release of Funds and Certifications (HUD Form 7015.15) on behalf of the Palm Beach County Housing Authority (PBCHA) for activities assisted through the U.S. Department of Housing and Urban Development (HUD) Capital Fund Program. **SUMMARY:** Federal regulations require the County to assume the role of Responsible Entity for certain HUD-assisted activities within its jurisdiction for environmental review, decision-making and action that would otherwise apply to HUD under the National Environmental Policy Act (NEPA). PBCHA intends to use HUD Capital Fund Program assistance for improvements to five public housing projects including: Drexel House, 1745 Drexel Road, West Palm Beach; Dyson Circle, 4695 Dyson Circle N., West Palm Beach; Schall Landing, 2404 Schall Circle, West Palm Beach; Seminole Manor, 6388 Seminole Circle, Lantana; and 42 single family homes in the Boynton Beach and Lake Worth areas. The Capital Fund Program requires that an environmental review be performed in accordance with Federal regulations at 24 CFR Part 58. The environmental review for the activities were completed by consultant Dominion Due Diligence Group on behalf of PBCHA. The County must provide HUD with a Request for Release of Funds and Certification (HUD Form 7015.15) for each project. The certifications affirm that procedures required by 24 CFR Part 58 have been followed, the activities did not require an Environmental Impact Statement (EIS), and the County will comply with the NEPA and other environmental laws as they relate to the activities. Staff has determined that the environmental reviews met the requirements of 24 CFR Part 58, that the appropriate procedures were followed and that no EIS is required. A required Finding of No Significant Impact and Notice of Intent to Request Release of Funds was published on August 25, 2022, and no public comments were received during a 15-day comment period. Approval of the certifications will allow PBCHA to proceed with Capital Fund activities that will help preserve and sustain the local public housing stock. Districts 2, 3, & 7 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

4. Staff recommends a motion to receive and file: the following agreements funded under Fiscal Year 2022-2023 Community Development Block Grant (CDBG) Program:

**A)** an agreement with the City of Greenacres in the amount of \$198,947 for the construction of the Lift Station Sewer Improvements Phase I, bound on the north by 10<sup>th</sup> Ave North, to the south by Lake Worth Road, to the east by Haverhill Road and to the west by the LWDD E-3 Canal;

**B)** an agreement with the City of Lake Worth Beach in the amount of \$306,691 for the ADA improvements of bathrooms, storage facility, new outdoor amenities and resurfacing of parking area at the Harold Grimes Memorial Park;

**C)** an agreement with the Town of Lake Park in the amount of \$55,433 for the installation of ADA playground equipment at Ilex Park; and

**D)** an agreement with the Town of Lantana in the amount of \$55,740 for the improvements of dog park amenities at Maddock Park.

**SUMMARY:** On July 12, 2022 (R2022-0746), the Board of County Commissioners approved the Action Plan for Fiscal Year 2022-2023, including the allocation of \$616,811 of CDBG funding for these four public facilities and improvement projects. The City of Greenacres will begin Phase I of Lift Station Sewer Improvements, bound on the north by 10<sup>th</sup> Ave North, to the south by Lake Worth Road, to the east by Haverhill Road and to the west by the LWDD E-3 Canal. The City of Lake Worth Beach will implement Phase II of the improvements at the Harold Grimes Memorial Park with ADA improvements of bathrooms, storage facility, new outdoor amenities, fencing and resurfacing of parking area. The Town of Lake Park will install new ADA compliant playground equipment to replace deteriorated existing equipment. The Town of Lantana will utilize the CDBG funding to provide improvements to the dog park amenities at Maddock Park. **These are Federal CDBG funds, which do not require a local match.** Districts 1, 2, 3, & 7 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

5. Staff recommends motion to receive and file: an agreement with the Town of Mangonia Park for code enforcement services in the amount of \$14,696 funded under the Fiscal Year 2022-2023 Community Development Block Grant (CDBG) Program. **SUMMARY:** The document has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 6D-2, as approved by the BCC on July 12, 2022. This agreement with the Town of Mangonia Park provides \$14,696 in CDBG funds toward the salary, benefits and related electronic equipment of one full-time Code Enforcement Officer. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. **These are Federal CDBG funds, which do not require a local match.** District 7 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

6. [Staff recommends motion to receive and file:](#) an agreement with the Business Loan Fund of the Palm Beaches, Inc. d/b/a Center for Enterprise Opportunity (CEO) for \$80,000 under the Fiscal Year 2022-2023 Community Development Block Grant (CDBG) Program. **SUMMARY:** The document has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 6D-2 (R2022-0746) as approved by the BCC on July 12, 2022. The agreement with CEO provides \$80,000 in Fiscal Year 2022-2023 CDBG funds to provide technical assistance and business support services to small businesses and persons developing small businesses. CEO is required to create a minimum of 5.5 full-time equivalent jobs advertised countywide, conduct four business plan training seminars, close four credit builder loans/microloans and provide business and financial counseling to no fewer than 40 unduplicated businesses and/or entrepreneurs. Additionally, at least 51% of the jobs must be held by, or made available to, Low and Moderate Income Persons who must reside in the Palm Beach County CDBG jurisdiction during the term of the agreement. CEO received \$80,000 in CDBG funds during Fiscal Year 2021-2022 and successfully met their deliverables per the enclosed table.

<b>Center For Enterprise Opportunity Contract Deliverables</b>	<b>FY 2022 Goal</b>	<b>FY 2022 Actual</b>	<b>FY 2023 Goal</b>
Create a minimum number of full-time-equivalent jobs	5.5	5	5.5
Provide 1-on-1 business and financial counseling sessions for a minimum number of unduplicated clients	40	99	40
Conduct a minimum number of comprehensive business plan trainings	4	5	4
Close a minimum number of credit builder loans and/or microloans	4	4	4

In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file agenda item. **These are Federal CDBG funds, which do not require a local match.** Countywide (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

7. Staff recommends motion to receive and file: Amendment 001 to Agreement R2021-1612 with the Town of Lantana, extending the project performance dates and final reimbursement date from December 31, 2022 to June 30, 2023, for playground improvements at Maddock Park funded under Fiscal Years 2020-2021 and 2021-2022 Community Development Block Grant (CDBG) Program. **SUMMARY:** These documents have been executed on behalf of the Board of County Commissioners by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 3I-1, as approved by the BCC on November 2, 2021. Amendment 001 extends the original agreement performance requirement dates to award construction contract, request 50% reimbursement, complete construction and request 100% reimbursement from December 31, 2022 to June 30, 2023. The time extension is needed due to delays encountered during the bidding process which prevented The Town of Lantana from awarding a construction contract within the project budget and timeline, along with extensive lead time to obtain needed playground equipment. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. **These are Federal CDBG funds, which require no local match.** District 7 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

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

**A)** Standard Form SF-424 and Certifications for the FY 2022-2023 Community Development Block Grant Program (CDBG);

**B)** Standard Form SF-424 and Certification for the FY 2022-2023 HOME Investment Partnership Program (HOME); and

**C)** Standard Form SF-424 and Certification for the FY 2022-2023 Emergency Solutions Grant Program (ESG).

**SUMMARY:** The documents were executed on behalf of the Board of County Commissioners by the Director of the Department of Housing and Economic Development under authority delegated by R2022-0746 on July 12, 2022 to the County Administrator. In accordance with County PPM CW-O-051, all contracts, agreements and grants signed by delegated authority must be submitted by the initiating department as a receive and file agenda item. The certifications attest that the County will comply with: Affirmatively Further Fair Housing, Uniform Relocation Act and Anti-displacement and Relocation Plan, Anti-Lobbying, Authority of Jurisdiction, Consistency with Plan, Section 3 of the Housing and Urban Development Act of 1968, Citizen Participation, Community Development Plan, Following a Plan, Use of Funds, Excessive Force, Anti-discrimination Laws, Lead-Based Paint and various other Federal Statutes and Regulations. **The ESG required local match (\$577,734) will be provided by the four ESG-funded agencies (Adopt-A-Family, Aid to Victims of Domestic Abuse, the Salvation Army and Young Women's Christian Association), the Department of Community Services, and the Department of Housing and Economic Development. The HOME required local match (\$574,593) will be provided from the State Housing Initiatives Partnership Program. CDBG funds require no local match. Countywide (HJF)**

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

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

Reappointment	Seat	Requirement	Recommended by	Term
James B. Carr	15	Member of a Regional Industry Trade Association	Palm Beach Air Conditioning Contractors Association	10/18/22-10/17/25

**SUMMARY:** The BCAB was established by a Special Act of the Florida Legislature in 1974 and amended in 2001. The term of office for board members is three years with no limit to the number of terms a member may serve. The Board is comprised of 16 members; seven Building Officials, one from each commission district appointed from nominees submitted by the Building Officials Association of Palm Beach County (BOAPBC); one registered architect, appointed from nominees submitted by the Palm Beach Chapter of the American Institute of Architects; one professional engineer, appointed from nominees submitted by the Palm Beach Chapter of the Florida Engineering Society; and seven members, appointed from nominees submitted by any recognized regional industry trade association. This Advisory Board has 16 seats, 15 currently filled and 1 vacancy, and a diversity count of Caucasian: 11 (73%), African-American: 2 (13%), Asian-American: 1 (7%) and Hispanic-American: 1 (7%). The gender ratio (male:female) is 14:1. The nominee is a Caucasian male. Staff has addressed the need to increase diversity within our boards and will continue to encourage this in an effort to expand the Board’s diversity. Countywide (RM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to approve:

**A)** a contract for the Water Treatment Plant No. 2 (WTP No. 2) Treatment and Disposal Improvements Design Package 1, 3 and 4 (Project) with PC Construction Company dba PCEO, Inc. (PC Construction) in the amount of \$26,735,001; and

**B)** an \$11,587,000 budget transfer in the Water Utilities Department Capital Improvement Fund to establish budget for the entire project.

**SUMMARY:** On March 10, 2022, the Palm Beach County Water Utilities Department (PBCWUD) received two bids for the Project (PBCWUD Project No. 18-066R). The Project includes furnishing all materials, labor, supervision, equipment, supplies, fees, expertise and services necessary to construct: one 5.0 million gallon (MG) prestressed ground storage tank (GST); two aeration and mixing systems for GSTs, one 15 MG per day lime softening water treatment unit, one surficial aquifer supply well, chemical storage and delivery systems, exterior stairs and elevated walkways, all electrical, instrumentation, piping, valves, pumps, paving, general civil site and other appurtenances for a completely functioning system and demolition, rehabilitation and modification of existing systems as specified. This Project was procured under the requirements of the Equal Business Opportunity Ordinance. On April 21, 2021, the Goal Setting Committee approved an Affirmative Procurement Initiative of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting participation goal of which 3% shall be among certified African American and/or Hispanic American owned firms. The contract with PCEO provides for 36.62% SBE participation, which includes 3.19% MBE participation. On April 27, 2022, the Office of Equal Business Opportunity completed their compliance review of the bids received on March 10, 2022, and determined the lowest apparent bidder, PC Construction, was responsive. The Project is included in the PBCWUD FY23 budget. (PBCWUD Project Nos. 18-066R) District 2 (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. Staff recommends motion to approve: the reappointment of an at-large member to the Water Utilities Department Advisory Board (WUDAB) for a three year term effective October 18, 2022 through September 30, 2025.

<b>Nominee:</b>	<b>Requirements:</b>	<b>Seat No.</b>	<b>Nominated By:</b>
Bernard Castleman	Current Water Utilities Customer, Resides in Central/North County	9 At-Large County-Wide	Mayor Weinroth Comm. McKinlay Comm. Marino

**SUMMARY:** Resolution No. R2014-0457 provides for an 11-member WUDAB. The membership consists of seven District members, two Countywide At-Large members, one Lake Region member and one Royal Palm Beach member. Bernard Castleman's term as member of the WUDAB expired on September 30, 2022. Mr. Castleman has served on the WUDAB since April 15, 2014 completing a previous Board Member's term and has indicated a desire to continue as a WUDAB member. The WUDAB and Department staff recommend the reappointment of Bernard Castleman to remain on the Board another term. The Board has 11 seats, 8 seats currently filled and a diversity count of 7 Caucasian (87.5%) and 1 Hispanic-American (12.5%). Mr. Castleman is a Caucasian male and the gender ratio (female:male) is 3:5. Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve: an appointment of one member to the Groundwater and Natural Resources Protection Board (GNRPB) for Seat No. 4 beginning October 18, 2022 through October 18, 2025.

<u>Seat No.</u>	<u>Appoint</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated by</u>
4	Steven Snyder	Biologist or Chemist	10/18/25	Treasure Coast Chapter of the Florida Association of Environmental Professionals

**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. 4 be filled by a biologist or chemist. The GNRPB has six seats currently filled and diversity count of Caucasian: 4 (66.67%), African-American: 2 (33.33%). The gender ratio (female:male) is 3:3. Seat No. 4 nominee is a Caucasian male. Staff continues to address the need for increased diversity within our boards and will encourage expansion of this Board's diversity. Countywide (SS)

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: an Interlocal Grant Agreement Term Extension between Palm Beach County and Solid Waste Authority of Palm Beach County for \$40,000 for the demolition and removal of the Duncan Padgett Racquetball Courts, extending the completion date from November 30, 2022 to November 30, 2023. **SUMMARY:** On September 1, 2021, the Parks and Recreation Department submitted a Solid Waste Authority 2022 Blighted and Distressed Property Cleanup and Beautification Grant application. The application requested \$40,000 in funding to cover the cost of demolition of the Duncan Padgett racquetball courts. Grant funding was awarded and the Interlocal Grant Agreement (R2022-0030) was presented to the BCC on January 4, 2022 for the Mayor's signature and to establish budget. The grant term is being extended until November 30, 2023 to account for delays associated with staffing resources to oversee the project. District 6 (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to:

**A) approve** Certifications and Assurances for grant application to the U.S. Department of Justice Edward Byrne Memorial Justice Assistance Formula Federal FY22 (County FY23) Direct Grant (JAG) in the amount of \$131,548 beginning October 1, 2022 through September 30, 2023 to fund the Palm Beach County Reentry Program; and

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

**SUMMARY:** Palm Beach County was allocated \$131,548 in Federal FY22 (County FY23) funds as part of the JAG Direct Program (CFDA #16.738) for expenditure during the period October 1, 2022 through September 30, 2023. The Criminal Justice Commission approved allocating these funds to the existing Palm Beach County Reentry Program. This award will provide \$131,548 continuation funding to the Reentry Program. The program provides transitional services to juveniles and adults reentering society from jail and prison. Approximately 808 individuals have been served in County Fiscal Year 2022. This includes youth and adults, as well as pre and post release. **No local match is required for this grant.** Countywide (HH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

2. Staff recommends motion to:

**A) receive and file** Grant Adjustment Notice (GAN) 5 of the John D. and Catherine T. MacArthur Foundation Safety and Justice Challenge Grant 17-1704-151863-CJ to realign the previous budget and to reflect a no cost extension to December 31, 2022;

**B) receive and file** GAN 3 of the John D. and Catherine T. MacArthur Foundation Safety and Justice Challenge Grant 19-1806-153373-CJ to realign the previous budgets and to reflect a no cost extension to September 30, 2023;

**C) approve** a budget transfer of \$188,545 in the MacArthur Foundation's Safety and Justice Challenge \$1.4M Fund to realign the budget based on the approved GAN; and

**D) approve** a budget amendment of \$50,644 in the General Fund Public Safety Department to recognize the increase in the transfer from the \$1.4M MacArthur Grant.

**SUMMARY:** In 2017, Palm Beach County was awarded a \$2M grant from the John D. and Catherine T. MacArthur Foundation (Foundation) Safety and Justice Challenge (R2017-1709). GAN 5 was approved by the Foundation to realign the budget to best fit the goals of the grant and to incorporate a no cost extension to December 31, 2022. In 2019, Palm Beach County was awarded an additional \$1.4M from the Foundation (R2020-0484; R2020-0485). GAN 3 was approved by the Foundation to realign budget to best fit the goals of the grant and to incorporate a no cost extension to September 30, 2023. **No County matching funds are required.** Countywide (HH)

S. FIRE RESCUE

1. Staff recommends motion to approve: the County's acknowledgement and acceptance of the terms and conditions of the In-House Repair Center Authorization, from Scott Technologies, Inc. (3M Scott), for Palm Beach County Fire Rescue (PBCFR) to perform service and maintenance on Self Contained Breathing Apparatus (SCBA) manufactured by 3M Scott and owned by PBCFR. **SUMMARY:** PBCFR currently owns, services and uses SCBAs manufactured by 3M Scott. Service and maintenance is performed by PBCFR employees certified by 3M Scott; acknowledging and accepting this authorization will allow PBCFR employees to continue to be certified and purchase 3M Scott parts to comply with the service requirements of the SCBAs, without requiring the use of a third-party repair facility. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

2. Staff recommends motion to approve: the write-off of uncollectible emergency transport patient accounts to remove these amounts from the County's general ledger for the following period:

October 1, 2017 through September 30, 2018 (FY 2018)      \$12,799,474.94

**SUMMARY:** In December 1994, the Board authorized Fire Rescue to transport critically ill/injured patients and bill for those services. The County contracts with a private company for these billing and collection services. The County receives payment from a number of sources, including commercial insurance, Medicare, Medicaid, and private individuals. During the period October 1, 2017 to September 30, 2018, Fire Rescue generated \$52,972,948.20 in gross transport billings and collected (to-date) \$24,824,237.38. After adjustments of \$15,349,235.88, required under the guidelines of the Medicare/Medicaid programs, the balance of \$12,799,474.94 is currently deemed to be uncollectible. This balance is primarily due to partial payments, insurance denial based on medical necessity, the inability to obtain accurate patient and/or insurance information, and patients without medical coverage or high deductibles. Staff recommends the amount deemed uncollectible be written off the County's general ledger. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

3. Staff recommends motion to:

**A) accept** a U.S. Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA) FY 2021 Assistance to Firefighters Grant (AFG) Program Agreement No. EMW-2021-FG-00794 award, in the amount of \$711,956, with a required match of \$71,195.60 for the purchase of automatic chest compression devices for the period of August 29, 2022 through August 28, 2024;

**B) approve** a budget amendment of \$711,956 within the Fire/Rescue MSTU Fund to recognize the grant award, establish a budget for the approved grant and transfer \$71,196 from contingency reserves for Fire Rescue's matching requirement; and

**C) authorize** the County Administrator or designee to accept, approve, execute and submit, electronically or otherwise, on County's behalf the grant award, representations, certifications, acknowledgments, assurances, standard forms and documents, reimbursement requests, amendments time frame changes, and other necessary documents, that do not materially change the general scope of terms and conditions of the grant.

**SUMMARY:** On February 8, 2022, the Board ratified a grant application (R2022-0129) requesting \$711,956 to purchase automatic chest compression devices. The application included the required match of \$71,195.60. On August 22, 2022, the County received notification of the grant award from FEMA. This grant award and the required matching funds (10% of the federal award amount) equal a total grant project cost of \$783,151.60. The eligible activities under this grant are the purchase of automatic chest compression devices for each frontline engine that does not currently have one. The County must comply with all terms, conditions, certifications, assurances and other requirements of the grant program and related regulations, including the Summary Award Memo, Agreement Articles, Obligating Document, Notice of Funding Opportunity and the grant application package. Countywide (SB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to:

**A) rescind** Interlocal Agreement R2015-0445 as amended by R2015-0932;

**B) approve** the replacement Interlocal Agreement providing updated contract terms for network services with South Florida Water Management District; and

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

**SUMMARY:** South Florida Water Management District has an existing Interlocal Agreement with Palm Beach County (R2015-0445 as amended by R2015-0932) for network services in exchange for access to their communications towers for County antenna placement, and has requested an increase in their network bandwidth. Staff recommends rescinding the existing agreement and replacing it with a new agreement for a period of one year with four automatic one-year renewals unless notice is given by either party. This new Interlocal Agreement includes updated contract terms to provide upgraded network services to South Florida Water Management District. The Florida LambdaRail, LLC has approved connection of South Florida Water Management District to the Florida LambdaRail network. Countywide (DB)

X. PUBLIC SAFETY

1. Staff recommends a motion to:

**A) receive and file** a State-Funded Grant Agreement for Hazardous Materials Planning and Prevention Program (T0211) with the State of Florida, Division of Emergency Management (FDEM) for the period of July 1, 2022 through June 30, 2023, in the amount of \$7,932.31; and

**B) approve** a budget amendment of \$7,933 in the Emergency Management Grant Fund to recognize the grant award.

**SUMMARY:** This is an annual grant (CSFA #31.067) from FDEM to conduct on-site visits and hazardous materials analyses at facilities within Palm Beach County known to have extremely hazardous substances designated by the U.S. Environmental Protection Agency. These assessments are required for compliance with the Emergency Planning and Community Right-To-Know Act, also known as the Superfund Amendments and Reauthorization Act. R2012-1731 authorized the County Administrator or designee to execute these agreements on behalf of the Board of County Commissioners. **No matching funds are required.** Countywide (DB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

2. Staff recommends motion to:

**A) receive and file** a State-funded Grant Agreement (A0281) for FY2022-23 in the amount of \$105,806 for the Emergency Management Preparedness and Assistance (EMPA) Grant with the State of Florida, Division of Emergency Management to receive grant funding for the period of July 1, 2022 through June 30, 2023, to improve and enhance emergency management plans and programs and provide operational support to maintain state required programs; and

**B) approve** a budget amendment of \$79,354 in the EMPA Fund to adjust the budget to the actual award of \$105,806.

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

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. Staff recommends motion to approve: Affiliation Agreement #50D63 with State of Florida, Department of Health, Palm Beach County Health Department (Department) for activities related to achieving competency in performing medical forensic exams to the County's Victim Services and Certified Rape Crisis Center Forensic Nurses for a three year term beginning August 1, 2022 or the latest date of signature by the parties through July 31, 2025 which may be renewed for one, three year term with no financial obligations. **SUMMARY:** The Department is a state agency with seven health centers located throughout the County. The Division of Victim Services (DVS) employs up to 12 Forensic Nurses. In order to perform a Forensic Sexual Assault exam, the nurses are required to observe four medical forensic exams under the guidance of a preceptor and demonstrate competency by performing ten medical forensic exams under the guidance of a preceptor. In order to facilitate the Forensic Nurses in meeting their required competencies, DVS is seeking to execute an agreement with the Department for activities related to achieving competency for the Forensic Nurses. The agreement is needed to outline the respective duties, responsibilities, policies and procedures that will be undertaken by the Department and the County regarding the Forensic Nurse competency requirement. The County will coordinate with the Department for learning opportunities and rotations at the C.L. Brumback Health Center in Belle Glade. The Department will designate an experienced Advanced Practice Registered Nurse, Medical Doctor or Physician Assistant to provide trainings for gynecological exams and speculum competency to Forensic Nurses. Countywide (SF)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

4. Staff recommends motion to:

**A) receive and file** Purchase Order (PO) (C00082) for \$375,000 for contractual adult reentry services from the Florida Department of Corrections (FDC) for the service period of July 1, 2022 through June 30, 2023;

**B) approve** a budget amendment of \$257,500 in the Justice Service Grant Fund to adjust the budget to the actual grant award; and

**C) approve** the following contracts to provide adult reentry case management, support services and mental health services:

1) The Lord's Place, Inc. (TLP) in the amount of \$91,584 for the period July 1, 2022 through June 30, 2023;

2) Riviera Beach Integrated Care, Inc. (RBIC) in the amount of \$15,000 for the period July 1, 2022 through June 30, 2023;

3) TLP in the amount of \$255,272 for the period October 1, 2022 through September 30, 2023; and

4) RBIC in the amount of \$10,000 for the period October 1, 2022 through September 30, 2023.

**D) authorize** 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.

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

4. **(Cont'd) SUMMARY:** Palm Beach County's Regional and State Transitional Offender Reentry (RESTORE) Initiative is funded by local, state, and federal sources. The State of Florida FY22-FY23 General Appropriations Act provided \$375,000 (CSFA #70.011) in non-recurring general revenue funds to the Palm Beach County Board of County Commissioners for Adult Reentry Services. Palm Beach County's Public Safety Department Division of Justice Services contracts with providers to coordinate reentry services to those returning to Palm Beach County from incarceration. Providers are solicited and selected for a three-year period through a competitive procurement process, although funding is allocated on an annual basis. For 2022-2025, TLP, City of Riviera Beach and RBIC were selected to receive funding for services such as pre and post release case management, client support services and mental health treatment. Separate contracts are necessary for providers based on funding source and the begin date of the county and the state fiscal year. Contracts utilizing funding from the State of Florida FY22-FY23 General Appropriations Act provided are retroactive to July 1, 2022. Contracts funded through ad valorem funds and State Justice Assistance Grant funding are retroactive to October 1, 2022 through September 30, 2023. TLP (\$255,272) and RBIC (\$10,000) contracts will use Ad Valorem dollars in the amount of \$71,739 and State JAG Formula Grant funds of \$193,533 that have not been awarded, but are in the budget. **No County matching funds are required for this grant.** Countywide (SF)

<u>Service provided (Correctional Facility)</u>	<u>FY 18</u>	<u>FY 19</u>	<u>FY 20</u>	<u>FY 21</u>	<u>FY 22</u>
Pre-Release (Sago)	415	383	296	364	414
Post-Release (FDC)	274	312	362	280	293
Post-Release (PBSO Jail & Federal Prison)	<u>123</u>	<u>91</u>	<u>84</u>	<u>95</u>	<u>97</u>
<b>Total</b>	<b>812</b>	<b>786</b>	<b>742</b>	<b>739</b>	<b>804</b>

From 2018–2022, 56% of clients enrolled in the County's Adult Reentry post-release programming were not rearrested. Therefore, the recidivism rate was 44%, which is below the national average recidivism rate of 66%.

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office, a contract amendment between the Palm Beach County Sheriff's Office and the University of North Florida Training and Services Institute, Inc., d/b/a Institute of Police Technology and Management, to provide an additional \$32,246.13 in supplemental funding; and

**B) approve** a budget amendment of \$32,246 in the Sheriff's Grants Fund.

**SUMMARY:** The Board of County Commissioners accepted this grant award for \$91,144.70 on August 23, 2022 (R2022-0873). This contract amendment will provide \$32,246 in supplemental funding, for a total of \$123,391, to support the Florida Department of Transportation's Bicycle Pedestrian Focused Initiative. These funds will be used to pay for overtime costs associated with the High Visibility Enforcement project. **There is no match requirement associated with this award.** The Catalog of Federal Domestic Assistance number is 20.205, the project number is 433144-1-8404, and the Florida Department of Transportation Contract number is G2A92. Countywide (RS)

3. CONSENT AGENDA APPROVAL

DD. OFFICE OF EQUAL OPPORTUNITY

1. Staff recommends motion to:

**A) ratify** the Mayor's signature on three cooperative agreements with the U.S. Department of Housing and Urban Development (HUD) totaling \$173,440 allowing the Office of Equal Opportunity (OEO) to receive revenue applying to FY 2022 for:

1. Case processing (Cooperative Agreement No FF204K224041 in the amount of \$119,000) for the period of July 1, 2021 through June 30, 2022;
2. Administrative cost (Cooperative Agreement No. FF204K224042 in the amount of \$32,000) for the period of October 1, 2021 through September 30, 2022; and
3. Training funds (Cooperative Agreement No. FF204K224043 in the amount of \$22,440) for the period of October 1, 2021 through September 30, 2022.

**B) approve** a downward budget amendment in the General Fund (Fund 0001) in the amount of \$84,160 to recognize the actual award amount; and

**C) ratify** the Mayor's signature on one cooperative agreement with the U.S. Department of HUD in the amount of \$24,000 allowing the Office of Equal Opportunity (OEO) to receive revenue applying to FY 2023 for Special Enforcement Effort (SEE) funds (Cooperative Agreement No. FF204K224086 in the amount of \$24,000) for the period of October 1, 2022 through June 30, 2023.

**SUMMARY:** In order for OEO to receive revenue from HUD for processing and resolving housing discrimination complaints, execution of Cooperative Agreements No. FF204K224041, FF204K224042, FF204K224043 and FF204K224086 were required prior to October 18, 2022 because there was insufficient time to meet the application deadline under the regular agenda process. The current individual awards total \$197,440 and include \$119,000 for cases processed for the period July 1, 2021 through June 30, 2022; \$22,440 for training funds for the period of October 1, 2021 through September 30, 2022; \$32,000 for administrative costs for the period October 1, 2021 through September 30, 2022; and \$24,000 for SEE funds for the period of October 1, 2022 through June 30, 2023. Board ratification of the Mayor's signature will ensure the receipt of revenue under these agreements. Countywide (DO)

3. CONSENT AGENDA APPROVAL

EE. OFFICE OF COMMUNITY REVITALIZATION

1. Staff recommends motion to:

**A) approve**

- 1) the amendment of existing Florida Power and Light agreements for the conversion of 454 existing high power sodium (HPS) cobra head streetlights in 18 Countywide Community Revitalization Team (CCRT) areas into Light-Emitting Diode (LED) streetlights and their ongoing operation and maintenance for a ten-year period;
- 2) an increase in expenditure of \$80,000 to pay for the operation and maintenance of 67 LED cobra head streetlights for a ten-year period in the San Castle CCRT area;
- 3) an increase in expenditure of \$7,500 to pay for the operation and maintenance of 20 LED cobra head streetlights for a ten-year period in the Lee Crossing CCRT area;
- 4) an increase in expenditure of \$8,000 to pay for the operation and maintenance of 21 LED cobra head streetlights for a ten-year period in the Old Military Trail CCRT area;
- 5) an increase in expenditure of \$2,500 to pay for the operation and maintenance of 8 LED cobra head streetlights for a ten-year period in the Juno Ridge CCRT area;
- 6) a budget transfer of \$98,000 from the Capital Outlay Fund to the OCR Special Projects and Initiatives Fund for the LED Street Lighting Conversion Project; and
- 7) an upward budget amendment of \$98,000 in the CCRT Street Lighting Maintenance Fund to align the budget to the cost associated with the project changes.

**B) authorize** the County Administrator or designee to execute FPL LED lighting agreements related to the conversion project for 18 existing projects.

3. CONSENT AGENDA APPROVAL

EE. OFFICE OF COMMUNITY REVITALIZATION

1. **(Cont'd) SUMMARY:** The proposed project entails the conversion of existing HPS cobra head streetlights in 18 CCRT areas into LED streetlights. The total cost of the project is \$957,012. The requested funding for \$98,000 is to cover the costs associated with the conversion and ten-year operation and maintenance of 116 existing streetlights in the San Castle, Lee Crossing, Old Military Trail, and Juno Ridge CCRT areas. Funding for this project is available in the CCRT Recouped Funding account in the Capital Outlay Fund account. Approximate remaining funds in the amount of \$859,012 for streetlights are available in the street lighting maintenance account previously approved by the Board. Converting the existing lights to LED lights will result in lighting that is more efficient and a projected savings of \$352,200 over the ten-year operation and maintenance period with no upfront cost to Palm Beach County. The requested transfer and associated amendment are needed to allocate the funding for the project and recognize the transfer. The execution of the agreements will extend the operation and maintenance of the 18 existing projects for an additional ten years. Districts 1, 2, 3, 5 & 7 (RS)

FF. OFFICE OF RESILIENCE

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

\* \* \* \* \*

**OCTOBER 18, 2022**

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

- A)** Proclamation declaring November 8, 2022 as Ride Free on Election Day in Palm Beach County (District 1)
- B)** Certificate of recognition presented to Loretta Fuegos for achieving Palm Tran’s First Place Bus Operator of the Year (District 7)
- C)** Certificate of recognition presented to Murray Seabrook for achieving Palm Tran’s Second Place Bus Operator of the Year (District 2)

\* \* \* \* \*

OCTOBER 18, 2022

5. PUBLIC HEARINGS – 9:30 A.M. (Motion to receive and file: Proof of publication)  
NONE

\* \* \* \* \*

6. REGULAR AGENDA

A. AIRPORTS

1. Staff recommends motion to approve: Amendment No. 9 to the General Consulting Agreement with AECOM Technical Services, Inc. (AECOM) for Consulting/Professional Services in the amount of \$976,819 for the continued performance of professional planning and design services related to the approved Palm Beach County Airports Capital Improvement Program. **SUMMARY:** The consulting agreement with AECOM for general airport planning and design was approved by the Board on March 12, 2019 (R2019-0301) in the amount of \$828,984.74 in order to carry out the approved Capital Improvement Programs for the County's Airports. Amendment No. 1 was approved by the Board on August 20, 2019 (R2019-1160) increasing the amount of the contract by \$1,032,651.29. Amendment No. 2 was approved by the Board on February 4, 2020 (R2020-0079) increasing the amount of the contract by \$1,753,356.78. Amendment No. 3 was approved by the Board on June 16, 2020 (R2020-0639) increasing the amount of the contract by \$885,789.10. Amendment No. 4 was approved by the Board on October 6, 2020 (R2020-1514) increasing the amount of the contract by \$1,789,325 and modified Article 21, Access and Audits, of the agreement. Amendment No. 5 was approved by the Board on February 9, 2021 (R2021-0233) exercising the first one year renewal option. Amendment No. 6 was approved by the Board on August 17, 2021 (R2021-1160) increasing the amount of the contract by \$1,583,691.58. Amendment No. 7 was approved by the Board on February 8, 2022 (R2022-0134) increasing the amount of the contract by \$1,763,111.51 and exercising the second and final, one year renewal option. Amendment No. 8 was approved by the Board on June 7, 2022 (R2022-0573) increasing the amount of the contract by \$1,727,453.97. Approval of Amendment No. 9 will provide an additional \$976,819 to complete the following tasks: Task I Services -Additional Noise Analyses to Support Strategic Planning at Palm Beach International Airport (PBI); Disadvantaged Business Enterprise (DBE) Program Outreach Services; PBI Bridge Repairs Construction Management/Construction Administration (CA)/Resident Project Representative (RPR) Services; PBI Drainage Repairs CA/RPR Services; PBI Landside Security Improvements; and Task III Services - Deliverable(s) as required in accordance with specific Task Authorizations. Work to be completed under these Task III Services will be issued in accordance with PPM CW-F-050, by way of a separate proposal or task authorization. AECOM is a Dallas, Texas based firm; however, the majority of the work to be completed in this agreement will be completed and/or managed through their West Palm Beach and Tampa, Florida offices in conjunction with several Palm Beach County-based sub-consultants and firms. A DBE goal of 18% was set for this contract. AECOM committed to 18% in its proposal. The anticipated DBE participation based upon the previous approved tasks is approximately 22.32%. The DBE participation for this Amendment is 21.60%. Pursuant to changes to Chapter 332, Florida Statutes, effective October 1, 2020, a governing body of a commercial service airport may not approve purchases of contractual services in excess of the Category Five threshold amount of \$325,000 provided in Section 287.017, Florida Statutes, on a consent agenda. This amendment exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

6. REGULAR AGENDA

B. OFFICE OF RESILIENCE

1. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on November 15, 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, Article XVII, (Ordinance 2017-012), Section 17-504 through Section 17-507, regarding the Property Assessed Clean Energy (PACE) Program; 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; providing for enforcement; providing for penalties; providing for captions; and providing for an effective date. **SUMMARY:** In recent years, Office of Resilience (OOR) staff has presented to the Board of County Commissioners (BCC) at several workshops and received BCC direction to amend Palm Beach County Code, Chapter 17, Article XVII, (Ordinance 2017012), Section 17-504 through Section 17-507, regarding the PACE Program that operates in the County. At the September 28, 2021 workshop, the BCC recommended that staff work to increase the applicability of the Ordinance for non-residential financing, streamline administrative tasks, increase consumer protections, and explore capping interest rates. At the June 7, 2022 BCC meeting, OOR staff brought an agenda item recommending a motion to approve on preliminary reading and advertise for public hearing staff's proposed PACE ordinance changes. The BCC directed staff to postpone the item and work with stakeholders to find additional common ground for ordinance amendments. At the August 23, 2022 BCC meeting, the Board postponed the permission to advertise agenda item, per PACE industry requests. Since then, staff has met with local PACE representatives to hear additional feedback. Upon final direction, staff will advertise the proposed ordinance amendments for adoption at the November 15, 2022, BCC meeting. Countywide (RM)

6. REGULAR AGENDA

C. ADMINISTRATION

1. Staff requests direction:

**A)** on the inclusion of a 401(a) plan as part of the County’s investment options for employee participation that direct unused sick and/or vacation leave into the Special Pay Plan (SPP); and

**B)** on the retention of specialized tax counsel to provide an independent legal opinion on the inclusion of specific provisions of an SPP, including mandatory participation of all employees.

**SUMMARY:** Per Board of County Commissioners directive, staff has researched the parameters of setting up a 401(a) plan with the specific intent of requiring employees who have accumulated sick and/or vacation leave, to have those funds deposited into this specific fund upon completion of their service with the County. 401(a) plans are investment tools that are also known as SPPs that can be customized for specific group participants. All identified group members must participate in the SPP. These plans are additional retirement plans that are funded by an employee’s “Special Pay”, which is compensation other than regular salary or wages accumulated by an employee. Those funds can be converted to a lump sum at termination of employment, or can be swept into the fund at specified increments at the end of a pay period or a fiscal year depending upon the design of the plan. Through these plans, the employer must contribute any accumulated Special Pay designated under the rules of the plan directly into the Plan. One of its’ tax savings is neither the employee or employer are subject to the 7.65% Social Security and Medicare tax on funds allocated to the SPP. Currently, Palm Beach County has a 401(a) plan administered by Nationwide. That plan was specifically created for one employee over 25 years ago who was not eligible to participate in the Florida Retirement System with a mandatory contribution by the employer, Palm Beach County. Direction from the Board could include entering into a new 401(a) with the current provider or issuing an RFP for one or more specific 401(a) providers, subsequent to obtaining the aforementioned legal opinion. Countywide (DO)

6. REGULAR AGENDA

D. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: an agreement with the Friends of the Mounts Botanical Garden, Inc. (FMBG) for the development of a new Master Plan for the Mounts Botanical Garden (Garden). **SUMMARY:** Palm Beach County (County) established, owns and operates the Garden which is located at 531 N Military Trail, West Palm Beach. On January 7, 1992, the Board of County Commissioners (Board) and FMBG entered into that certain Mounts Botanical Garden Agreement (1992 Agreement) to provide for the conditions under which the County and FMBG would collaborate in the operation and management of the Garden. The County and FMBG's collaboration in the operation and management of the Garden dates back to 1983; the 1992 Agreement provided for the formalization of said relationship. Although the County and FMBG have effectively operated under the 1992 Agreement since its approval, it is a 30-year old agreement and both parties agree that it should be revised in order to reflect the current status of the relationship between the County and FMBG. On January 26, 2022, Ms. Paton White, in her capacity as FMBG's Chair sent a letter to County Administrator Baker formally requesting revisions to the 1992 Agreement. Through the negotiation process which was aimed towards identifying the needed revisions to the 1992 Agreement, FMBG representatives and County staff came to the conclusion that in order to effectively define the future of the parties' continued collaboration, the County and FMBG needed to first reach a joint understanding on the future development of the Garden. A new Master Plan for the Garden is to be developed under the agreement being recommended under this agenda item for approval by the Board. FMBG, in collaboration with County staff, will lead and fund the process for the development of the new Master Plan. Under the agreement, FMBG will be required to procure consultant services as per County procedures and the County will name three of the six voting members on the selection committee. Upon completion of the Master Plan and recommendation for approval of same by FMBG, the Director of the County's Cooperative Extension Services department will submit the Master Plan for approval by the Board. The initial term of the agreement is two years with three, one-year extensions. Upon approval by the Board of the Master Plan, FMBG and County staff will reengage in conversations towards revising the 1992 Agreement. This item carries no fiscal impact other than staff's time towards administration of the agreement. (FDO Admin) District 2/Countywide (MWJ)

6. REGULAR AGENDA

E. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motions to approve:

**A)** a waiver of the statutory requirement, by a majority vote plus one, that one of the two public hearings to be held on November 15, 2022 and December 20, 2022, be held after 5:00 p.m., to consider the designation of parcels located at 9719 and 9645 Lantana Road, in unincorporated Palm Beach County, Florida, further identified by Parcel Control Numbers 00-42-43-27-05-034-0432 and 00-42-43-27-05-034-0431 (the Subject Property), as a Brownfield Area pursuant to Section 376.80(2)(c), Florida Statutes; and

**B)** the advertising of public hearings on Tuesday, November 15, 2022 at 9:30 a.m. and Tuesday, December 20, 2022 at 9:30 a.m. to consider the designation of the Subject Property as a Brownfield Area pursuant to Section 376.80(2)(c), Florida Statutes, which shall hereafter be known as the Encompass Health Green Reuse Area.

**SUMMARY:** On September 14, 2022, the owner of the property, Encompass Health Rehabilitation of Lake Worth, LLC, submitted an application to the Department of Housing and Economic Development to designate the Subject Property as a Brownfield Area. This designation requires two public hearings, one of which must be held after 5:00 p.m. per Section 125.66, Florida Statutes (cross-referenced in Section 376.80, Florida Statutes), unless the Board of County Commissioners (BCC), by a majority plus one vote, elects to conduct that hearing at another time of day. The western portion of the Subject Property was formerly operated as a mulching business and is impacted by discharges of arsenic. The eastern portion of the property is impacted by concentrations of the benzo(a)pyrene congeners. Encompass Health Rehabilitation of Lake Worth, LLC plans to develop the Subject Property as an institutional development (Hospital). The rezoning of the 8.21 acre site was approved by the BCC at the June 23, 2022 Zoning Hearing via Resolution 2022-0630, concurrent with a future land use amendment, to allow for the development of 76,049 square feet of hospital use. The approved Preliminary Site Plan indicates a two-phased development, with 54,642 square feet and 50 beds within Phase 1, and 21,407 square feet and 30 beds in Phase 2; and 147 parking spaces. Prior to redevelopment, Encompass Health Rehabilitation of Lake Worth, LLC is seeking a “Brownfield Area” designation under Florida’s Brownfields Redevelopment Act. The applicant indicates that the proposed development will create no less than 88 permanent, full-time jobs in its first year of operation, which exceeds the minimum job creation threshold of five jobs per Section 376.80, Florida Statutes. **No County funds for implementation are required.** District 6 (HJF)

6. REGULAR AGENDA

E. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

2. Staff recommends motion to:

**A) approve** an American Rescue Plan Act (ARPA) Response Projects Fund award of \$2,760,000 to Autumn Ridge Apartments, Ltd.;

**B) approve** an ARPA Response Projects Fund award of \$5,500,000 to The SPECTRA Organization, Inc.;

**C) approve** a budget transfer of \$8,260,000 in the ARPA Response Projects Fund;

**D) direct** staff to negotiate the loan agreements; and

**E) authorize** the County Administrator or designee to execute the loan agreement(s), amendments thereto, and all other documents necessary for project implementation.

**SUMMARY:** On July 20, 2022, the Department of Housing and Economic Development issued Request for Proposals HED.2022.4 (RFP) making \$13,000,000 in County ARPA Response Projects Fund funding available to developers for new construction of affordable multifamily housing. A selection committee consisting of five voting members met at a public meeting held on September 23, 2022, and recommended funding for two projects:

**1)** \$2,760,000 loan to Autumn Ridge Apartments, Ltd. (an affiliate of West Palm Beach Housing Authority and Landmark Development Corporation) to construct Autumn Ridge, a 106-unit multifamily development, including no fewer than 96 County-assisted units, located at 1580 N. Congress Avenue, in the Westgate/Belvedere Homes CRA. The project includes 16 units for tenants at 30% AMI, 68 units for 60% AMI, 12 units for 80% Area Median Income (AMI), one unit for 100% AMI, four units for 120% AMI, and five units for 140% AMI. The total project development cost is \$40.7M; and

**2)** \$5,500,000 loan to The SPECTRA Organization, Inc. (an affiliate of Palm Beach County Housing Authority) to construct Legacy at 45<sup>th</sup> Street, a 48-unit multifamily development, including no fewer than 34 County-assisted units, located at 3430 45<sup>th</sup> Street, West Palm Beach. All housing units are for tenants not to exceed 80% AMI. The total project development cost is \$15.5M.

In addition to this funding, on August 17, 2021, the Board awarded a \$715,000 HOME Program grant to Autumn Ridge as the local match for 9% Housing Credits. All County-assisted units will remain affordable to tenants with incomes no greater than 80% of AMI for no less than 30 years. The funding agreements and related documents pursuant to these funds will be between the County and the entities identified herein or their respective successors and/or assigns. To facilitate project implementation, staff requests authorization for the County Administrator or designee to execute the loan agreements and related documents. **These are County ARPA replacement funds that are now ad-valorem funds that do not require a local match.** District 7 (HJF)

6. REGULAR AGENDA

F. RISK MANAGEMENT

1. Staff recommends motion to approve:

**A)** a one-year contract for Employee Self-Funded Medical Benefits Plan (Contract No. 22-076/MD), with four one year renewal options, for claims administration of the County’s self-funded Health Maintenance Organization (HMO), CHOICE Network (CHOICE) (formerly named Open Access Plus In Network - OAPIN), and Point of Service (POS), health insurance plans with United HealthCare Services, Inc. (UHC) for the period January 1, 2023 through December 31, 2023 (plan year 2023); and

**B)** employee wellness participation cash incentives in the amount of \$25 per employee for completion of the online Health Risk Assessment (HRA) and \$25 per employee for participation in a biometric screening that meets the requirements of the County’s wellness program.

**SUMMARY:** Staff recommends Board approval of a contract for Employee Self-Funded Medical Benefits Plan (Contract No. 22-076/MD) with UHC for the period January 1, 2023 through December 31, 2023 on behalf of the employees of the Board of County Commissioners, Supervisor of Elections, and Palm Tran, Inc. (collectively participating in the plan through the provisions of Interlocal Agreement R2002-2287, as amended). The total conservative projected costs for plan year 2023 are \$76,946,000, which represents an approximate \$11,000,000 savings projection over the expiring agreement. These projections include claims, fixed administrative, access, utilization and disease management fees, as well as stop loss insurance costs and other ancillary costs and fees, less any pharmacy rebates. While these are projections, the agreement negotiated with UHC will better position the County for savings in plan year 2023 and beyond. The chart below provides the full breakdown of projected savings:

	2023 Plan Year continuing with the current contract	2023 Plan Year with the new UHC agreement
Projected Claims	\$89,596,000	\$79,293,000
Carrier Plan Administration	\$1,792,000	\$2,054,000
Reinsurance Premiums	\$549,000	\$704,000
Pharmacy Rebates	(\$4,032,000)	(\$5,105,000)
Total	\$87,905,000	\$76,946,000
Cost Avoidance (potential savings)		\$10,959,000

6. REGULAR AGENDA

F. RISK MANAGEMENT (Cont'd)

1. **SUMMARY (Cont'd):** The plan includes an annual wellness allowance of \$175,000 for plan year 2023, which will continue to ensure our regular wellness programming and provide additional incentive opportunities for employees who participate in numerous preventive health initiatives. Staff is not recommending changes to the benefit coverage or level of employee funding for the health plans for the 2023 plan year. The plan is being monitored by both the County and its contracted actuary to ensure sufficient reserves are in place to securely meet the 60 days of claims safe harbor surplus margin required by the Florida Office of Insurance Regulation (OIR). Sufficient funds have been budgeted to fund the program. In conjunction with its administrative services, UHC will continue to supply the staffing provided by the outgoing carrier, which included; two full time on-site service representatives and one full time wellness coordinator to serve the County in a dedicated role. In addition, as part of the new agreement, UHC will add one full-time behavioral health position employed through UHC and one full time clerical position employed through UHC's SMWBE vendor. Countywide (HH)

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7. BOARD APPOINTMENTS

A. OFFICE OF EQUAL OPPORTUNITY

- 1. Staff recommends motion to approve: appointment of At-Large member to the Commission on Women Advisory Board.

<u>Appoint</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>
Harriet Lerman	15	PBC Resident	Mayor Weinroth Vice Mayor Weiss Comm. McKinlay Comm. Sachs	10/18/22-9/30/25

OR

Rachelle Litt	15	PBC Resident		10/18/22-9/30/25
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**SUMMARY:** Per Resolution R2018-0188, the Board of County Commissioners (BCC) established the Commission on Women Advisory Board (ACW). The ACW is comprised of 15 members, 2 appointed by each County Commissioner and 1 At-Large appointed by majority vote of the BCC. The Board may also appoint a youth representative (15-18 years of age) to serve as an ex-officio member. The ACW serves as an advisory body to focus on matters pertaining specifically to women. Harriet Lerman and Rachelle Litt have expressed an interest in appointment. There is one vacancy. Fourteen seats and one ex-officio seat are currently filled. The current diversity count is Caucasian: 6 (40%), African-American: 4 (27%), Hispanic: 4 (27%) and Unknown: 1 (7%). The gender ratio (female: male) is 15:0. These nominees are Caucasian females. Countywide (JW)

B. COMMISSION DISTRICT APPOINTMENTS

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**OCTOBER 18, 2022**

**8. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

**B. COUNTY ATTORNEY**

**OCTOBER 18, 2022**

**9. COMMISSIONER COMMENTS**

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

Request for off-site Certificate of recognition presented to the Loggerhead Marinelife Center

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

**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 Certificate of Appreciation to Ron Katz

**District 7 – COMMISSIONER MACK BERNARD**

**ADD-ON:** Request for off-site Certificate of Congratulations on Your Retirement to Dr. Debra Robinson

**ADD-ON:** Request for off-site Certificate of Recognition to Tabernacle Missionary Baptist Church on Celebrating 129 years

**OCTOBER 18, 2022**

**10. ADJOURNMENT**

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