

## 2021 GLADES APPROPRIATIONS

West Technical Education Center Adult Vocation Training	426,857
Sago Palm Facility – PILT	142,900
South Bay Correctional Facility – PILT	275,560
RESTORE Ex-Offender Reentry Program	500,000
Everglades Workforce Training	750,000
SR 15/US 441 from South of Shirley Dr to East Main Street	1,029,129
SR 25/US 27 from Hendry/Palm Beach County Line to SR 80	3,096,278
SR 25/US 27 Asset Management Contract US 27 & Belle Glade Area - Hwy Maintenance	1,899,000
SR 25/US 27 at 27 Miles North of the I-75/US 27 Interchange - Preliminary Engineering Consult	1,419,231
SR 80 from SR 15 to CR 880 - Preliminary Engineering Consult	1,600,000
SR 15/US 441 from South of Shirley Dr to East Main Street	7,347,598
SR 25/US 27 from Hendry/Palm Beach County Line to SR 80	23,110,253
Belle Glade NW/SW 3rd Avenue, SW Avenue B Extension Corridor Stormwater Conveyance Improvements	350,000
Pahokee King Memorial Park Improvements	250,000
SCOP Funding	720,270
TOTAL	42,917,076

## VACCINE, MONOCLONAL, TESTING EFFORTS

- My office worked tirelessly on the ground with community partners to drive testing and vaccination efforts in the Glades
- My office worked with Health Care District and farmers/labor contractors to schedule mobile vaccination events for incoming farmworkers. At least 9 events held.
- Other notable highlights:
  - Monoclonal antibodies offered at Lakeside Medical Center, Sept. 2021
  - COVID-19 testing incorporated as part of regular medical services at C.L. Brumback Primary Care Clinic at Lakeside Medical in Belle Glade, May 2021
  - Drive-Through COVID testing in Belle Glade without an appointment at C.L. Brumback Health Center

**JANUARY 12, 2021**

**CONSENT AGENDA**

**3C. ENGINEERING & PUBLIC WORKS**

8. Staff recommends motion to receive and file: a proportionate share agreement for \$12,751,404 (Project Control Number # 2005-00394) with Highland Dunes Associates Property LLC dated October 29, 2020, for their proposed project located **at 660 Arden Lake Way, Wellington**. 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. This agreement was executed by the County Administrator on October 29, 2020, per Resolution R2016-0125. District 6 (SAS)
9. Staff recommends motion to receive and file: Supplemental Agreement Number 2 to the State-Funded Grant agreement, R2018-0364, with the Florida Department of Transportation (FDOT) for the design of improvements at **State Road 7 and Weisman Way** extending the expiration date of the agreement from December 20, 2020 to June 30, 2021. 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 Deputy County Engineer approved Supplemental Agreement Number 2 on November 5, 2020. District 6 (YBH)

**3H. FACILITIES DEVELOPMENT & OPERATIONS**

3. Staff recommends motion to approve: Work Order No. 21-001 to the annual Heating, Ventilation and Air Conditioning (HVAC) contract with Precision Air Systems, Inc. (R2020-0022) in the amount of \$224,702 for the **Royal Palm Beach Library - Chiller Replacement** project for a period of 90 calendar days from permit issuance or until project is complete. SUMMARY: The work consists of furnishing the labor, equipment, and materials needed to remove and replace the existing York watercooled chiller with a new Trane chiller system including new stainless steel starter pumps, connectors and disconnects. The existing chiller unit is more than 11 years old, is experiencing on-going maintenance problems, and deficient cooling performance. The unit has outlived its useful life. This project was competitively advertised and new contractors were invited to bid on the project by submitting a prequalification application prior to the submission of the bid response. On March 4, 2020, the Goal Setting Committee applied Affirmative Procurement Initiatives of sheltered market for projects under \$100,000 (when three or more Small Business Enterprises (SBE) are qualified under the annual contract) or a SBE contractor will be given a price preference if its bid is within 10% of the lowest responsive and responsible bidder for projects in excess of \$100,000. Since this project was over \$100,000, the SBE price preference API was applied. The contractor is not a certified SBE but submitted 3.81% SBE participation on this work order. The overall SBE participation on the annual HVAC contract is 31.85%. The contractor is a local business. Funding for this project is from the Library Improvement Fund. (Capital Improvements Division) District 6 (LDC)

### **3K. WATER UTILITIES**

- 4.** Staff recommends motion to approve: A) a contract with TLC Diversified, Inc. (TLC) for the Lift Station Rehabilitation Project Bid Package 2 (Project) in the amount of \$6,922,400 and B) Amendment No. 3 for Consulting/Professional Services for the Lift Station Rehabilitation Project B Contract with Mock, Roos & Associates, Inc. (Consultant) to increase the not to exceed amount by \$360,842.16 to \$2,405,968.51. SUMMARY: On April 2, 2020, the Palm Beach County Water Utilities Department (PBCWUD) received five bids for the Project. The Project includes furnishing all labor, materials, equipment, supervision, and supplies for the rehabilitation of 29 lift stations in the PBCWUD service area. The work includes mechanical, electrical and civil rehabilitation including new pumps, control panels, discharge piping, wet well and manhole coating, and new potable water services. The Project was procured under the requirements of the Equal Business Opportunity (EBO) Ordinance. On January 29, 2020, the Goal Setting Committee applied an Affirmative Procurement Initiative (API) of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting participation of which 5% shall be among certified African American and/or Hispanic American owned firms. Both the low bidder, Hinterland Group Inc. (Hinterland) and the second low bidder, Intercounty Engineering Inc. (Intercounty) failed to meet the established API for the Project. Therefore, the bids submitted by Hinterland and Intercounty were considered non-responsive. The third lowest bidder, TLC, met the API and was determined to be the lowest responsible and responsive bidder in the amount of \$6,922,400. Hinterland filed a bid protest claiming that the API requirements should be waived because the APIs are not consistent between projects and because previous bids have been cancelled when the lowest responsive bidder was 10% more than the lowest bid. On July 28, 2020, the Director of Purchasing recommended the bid protest be denied. Hinterland then requested a protest hearing before a Special Master. Proper notice was provided to Hinterland of the hearing location and time. On October 26, 2020, the protest hearing was convened, and Hinterland failed to appear. Pursuant to Section III.A.4 of Countywide PPM CW-O-039, the Special Master denied the bid protest based on Hinterland's failure to appear. The Contract with TLC provides for 29.32% SBE participation which includes 8.97% MBE (B) and MBE (H) participation. TLC is headquartered in Palmetto, FL, but maintains an office in Palm Beach County from which the majority of the work will be undertaken. On September 13, 2016, the Board of County Commissioners approved the PBCWUD Contract (R2016-1172) with Consultant to provide Consulting/Professional Services for the Lift Station Rehabilitation Project B. Amendment No. 3 to the contract with Consultant provides for construction phase services for the Project. The contract with Consultant was procured under the requirements of the 2002 SBE Ordinance (R2002-0064) prior to the adoption of the new EBO Ordinance on October 16, 2018. The SBE participation goal established by the 2002 SBE Ordinance was 15% overall participation. The contract with Consultant provides for 100% SBE participation. Amendment No. 3 includes 100% SBE participation. The cumulative SBE participation, including Amendment No. 3, is 100%. Consultant is a Palm Beach County based Company. The Project is included in the PBCWUD FY21 Budget. (PBCWUD Project No. 15-096B). Districts 2, 5, 6 & 7 (MJ)

### **3FF. TOURIST DEVELOPMENT COUNCIL**

1. Staff recommends motion to receive and file: three fully executed Palm Beach County Agreements managed by the Palm Beach County Sports Commission, Inc. on behalf of the Palm Beach County Tourist Development Council (TDC) with: A) Men's Senior Baseball League, Inc. for the promotion of the MSBL Fall Classic, which was held on November 7 – 21, 2020, for the term July 7, 2020 – February 21, 2021. This grantee was approved by the TDC on July 12, 2018 as a three-year grant approval in the amount of \$35,000 each year. This is the final year of this agreement; B) American Jr. Golf Association, Inc. for the promotion of the Rolex Tournament of Champions which was held on November 23 – 28, 2020, for the term August 23, 2020 – February 28, 2021. This grantee was approved by the TDC on September 10, 2020 in the amount of \$10,000; and C) **Equestrian Sport Production**, LLC for the promotion of the Equestrian Holiday & Horses Circuit being held from November 24, 2020 – January 1, 2021, for the term July 24, 2020 – April 1, 2021. This grantee was approved by the TDC on September 10, 2020 in the amount of \$12,500. SUMMARY: On June 7, 1994, the Board of County Commissioners adopted Resolution (R94-702) authorizing the Executive Director of the TDC to enter into grant agreements with Category G (Sports) grantees after they have been approved by the Tourist Development Council. The attached agreements funded events which promoted sports tourism in Palm Beach County. Districts 1, 6, & 7 (LDC)

## **PUBLIC HEARINGS**

### **5B. PUBLIC SAFETY**

1. Staff recommends motion to approve: the issuance of a Special Secondary Service Certificate of Public Convenience and Necessity (COPCN) to Universal Protection Service, LLC (Universal) for the gated community of **Wycliffe Golf and Country Club Homeowners Association**, Inc. SUMMARY: Universal has applied to provide Advanced Life Support (ALS) first response, non-transport services for Wycliffe Golf and Country Club Homeowners Association, Inc. The Department of Public Safety, Division of Emergency Management has reviewed the application and recommends approval of a Special Secondary Service ALS Provider - Non-Transport COPCN to be issued to Universal. The application was found to be in compliance and met the requirements based on the PBC Code of Ordinances, Chapter 13, Section 13-22. The COPCN will be issued for operations restricted to the confines of Wycliffe Golf & Country Club for the period of January 12, 2021, until Universal's contractual agreement with Wycliffe Golf and Country Club Homeowners Association, Inc. is terminated. Palm Beach County Fire Rescue is the Primary COPCN holder and has signed a Memorandum of Understanding with Universal to provide such services in their respective zone. The Emergency Medical Services Advisory Council has also approved the recommendation to grant Universal a Special Secondary Service ALS Provider - Non-Transport COPCN. District 6 (LDC)

# FEBRUARY 2, 2021

## CONSENT AGENDA

### 3C. ENGINEERING & PUBLIC WORKS

5. Staff recommends motion to adopt: a resolution vacating portions of a plat described as Parcel A, Parcel C, and the Water Management Tract of **Brentwood of Wellington**, PUD, according to the plat thereof, as recorded in Plat Book 117, Pages 177-180, Public Records of Palm Beach County (County). SUMMARY: Adoption of this resolution will vacate all of Parcel A, Parcel C, and the Water Management Tract (Parcels) created by the plat of Brentwood of Wellington, PUD, (Plat) and return those lands to their previously platted configuration shown in The Palm Beach Farms Co. Plat No. 3, as recorded in Plat Book 2, Page 45, Public Records of Palm Beach County. The Parcels are located north of Lantana Road and west of State Road 7. All reviewing agencies and utility service providers have approved this partial plat vacation. District 6 (YBH)

### 3H. FACILITIES DEVELOPMENT & OPERATIONS

10. Staff recommends motion to approve: Change Order No. 3 to Amendment No. 12 of the continuing contract with Robling Architecture Construction, Inc. (R2020-0762) decreasing the Guaranteed Maximum Price (GMP) for construction management services for the **Fire Rescue Station No. 28 Re-roof project in the amount of \$113,475.61**. SUMMARY: On October 22, 2019, the Board of County Commissioners approved Amendment No. 12 (R2020-1621) to the contract with Robling Architecture Construction, Inc. in the amount of \$762,460 for a complete re-roof of the fire rescue building to include heating, ventilation, air conditioning (HVAC) curb replacements, new roof insulation and rainwater drainage improvements. There is \$113,475.61 remaining as a result of unused allowances and unused contractor contingency. All savings will be returned to the Fire Rescue Improvement fund. The Construction Manager (CM) was selected pursuant to the Small Business Enterprise Ordinance, but the GMP, having been initiated after January 1, 2019, is subject to the requirements of the Equal Business Opportunity (EBO) Ordinance. This continuing construction management contract was presented to the Goal Setting Committee on February 20, 2019 and the Committee established an Affirmative Procurement Initiative of a mandatory 20% Small Business Enterprise (SBE) subcontracting goal on the contract. The CM is a SBE and a Palm Beach County business utilizing all local subcontractors. To date, the overall SBE participation for Amendment No. 12 is 78.38%. (Capital Improvements Division) District 6 (LDC)
14. Staff recommends motion to approve: Work Order No. 21-002 to the annual electrical contract with Protect Video, Inc. (Contractor) (R2019-1756) in the amount of \$237,581 for the **Fire Station (F.S) No. 27 – Generator Replacement project** for a period of 120 days from permit issuance or until project is complete. SUMMARY: The work consists of furnishing the labor, equipment, and materials needed to replace the existing generator with a new diesel generator capable of powering the entire fire station. The existing generator does not meet the requirements needed to power the entire facility during power outages. 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. This work order was solicited pursuant to the annual electrical contract and the requirements of the Equal Business Opportunity Ordinance. The annual contract was last presented to the Goal Setting Committee on March 4, 2020 and the Committee established Affirmative Procurement Initiatives (API) of sheltered market for projects under \$100,000 (when at least three Small Business Enterprises (SBE) are qualified under the annual contract) or an SBE contractor will be given a price preference if their bid is within 10% of the lowest non-SBE bid for projects over \$100,000. Since this project was over \$100,000, the SBE price preference API was applied. The Contractor is a certified SBE and submitted 56% SBE participation on this work order. The overall SBE participation on the annual electrical contract is 64.93%. The Contractor is a Palm Beach County business. Funding for this project is from the Fire Rescue Improvement fund. (Capital Improvements Division) District 6 (LDC)

### **3L. ENVIRONMENTAL RESOURCES MANAGEMENT**

4. Staff recommends motion to approve: Contract No. 2020ERM02 (Contract) with Ferreira Construction Southern Division Co., Inc. (Ferreira) in the amount of \$534,890.60 for providing construction services for the **Royal Palm Beach Pines Natural Area – Public Use Facilities Renovation Federalized Project** (Project) for a term beginning upon execution and expiring within 120 days from the Notice to Proceed. SUMMARY: The Contract will provide for repair and replacement of public use facilities within Royal Palm Beach Pines Natural Area. The work consists of removal of approximately 600 feet of concrete sidewalk, demolition of a 180-foot-long wood boardwalk and new construction of same. The work also includes construction of a new shade shelter. To minimize adverse impacts to all native ecosystems, soils, plants and animals present on the site, all work is to coincide with the dry season and/or dry season conditions. Four sealed bids were received by the Department of Environmental Resources Management (ERM) on October 19, 2020. Following cancellation of initial award extended to lowest bidder due to failure to execute and enter into such contract, Ferreira, a Hobe Sound, Florida, company was the next lowest responsive responsible bidder. As a federally funded project, the Contract is exempt from the Office of Equal Business Opportunity (OEBO) ordinance. Federal rules prohibit local geographical preferences in construction procurements involving federal funds, so the County's OEBO Program, Local Preference, Glades Local Preference, Glades Resident Incentive, and Apprentice Incentive could not be included in this competitive solicitation. The Project is funded by Florida Department of Environmental Protection (FDEP) through its Recreational Trails Program Funds and by ERM Capital Projects Fund. FDEP Agreement T1803 (R2019-0862) is providing \$162,125, which represents the Federal pass through contributions. The County is required to match this amount. District 6 (YBH)

### **3DD. TOURIST DEVELOPMENT COUNCIL**

1. Staff recommends motion to receive and file: a fully executed Palm Beach County FY2021 Covid Recovery Grant Agreement in the amount of \$110,000 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**, being held from January 6 – April 4, 2021. The grant agreement was approved by the

Tourist Development Council on October 15, 2020 for a term of August 6, 2020 – July 4, 2021. 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 (R94-207) 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. The grant agreement is expected to produce 85,034 room nights and will fund an event which promotes sports tourism in Palm Beach County. District 6 (LDC)

### **3EE. COMMISSION ON ETHICS**

1. Staff recommends motion to approve: a Memorandum of Understanding (MOU) with **the City of Westlake** and Palm Beach County to engage the services of the Palm Beach County Commission on Ethics for a three year term. SUMMARY: The City of Westlake (City) agreed to subject itself to the jurisdiction and authority of the Commission on Ethics and its Executive Director. This MOU identifies the roles and responsibilities of the Commission on Ethics and the City in implementing the Palm Beach County Code of Ethics. The MOU is subject to final approval of the Board of County Commissioners. District 6 (LDC)

### **REGULAR AGENDA**

#### **5A. PUBLIC SAFETY**

1. Staff recommends motion to approve on preliminary reading and advertise for public hearing on February 9, 2021 at 9:30 a.m.: an ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code, Chapter 13, Article II, (Ordinance No. R.2017-030) titled the EMS Ordinance; amending Section 13-20(d) (COPCN and endorsements required); providing a savings clause; providing severability; providing inclusion in the code of laws and ordinances; providing captions; and providing for an effective date. SUMMARY: The Emergency Medical Services (EMS) Ordinance establishes standards for issuing Certificates of Public Convenience and Necessity (COPCN's) which are required to provide emergency medical services in the County including the provision of Advanced Life Support transport and Basic Life Support inter-facility transfer services. Currently, the EMS Ordinance restricts governmental agencies from providing inter-facility transfer services; which are termed Secondary Services. The Health Care District of Palm Beach County (HCD) wants to develop their own hospital based emergency medical system and apply for a Secondary Service Provider COPCN to provide inter-facility transports of patients which would be limited to patients needing transports from **Lakeside Medical Center, a public hospital in Belle Glade**, to other HCD facilities and specialized treatment centers and patients needing transports to and from the JFK North Addiction Stabilization Unit operated in partnership with HCD and the County. This amendment to the EMS ordinance would allow a governmental agency operating a public hospital to provide limited inter-facility transfer services with conditions when such hospital has obtained a COPCN from the County and a license from the State. Following approval of this amendment, the HCD is eligible to apply for a Secondary COPCN; which would still come back to the Board of County Commissioners for review and

approval as part of the regular Secondary COPCN solicitation process that expires June 30, 2021. At the December 17, 2020 EMS Council meeting, the EMS Council reviewed and unanimously recommended approval of the EMS Ordinance revisions. This proposed amendment to the EMS Ordinance was presented to the League of Cities on January 20, 2021. Countywide (LDC)

## **5B. ENVIRONMENTAL RESOURCES MANAGEMENT**

1. Staff recommends motion to approve: an amendment to the Deed of Conservation Easement for **Pond Cypress Natural Area**, as executed on September 9, 2008 and recorded in OR Book 22880, Page 1859, from Palm Beach County in favor of South Florida Water Management District (SFWMD). SUMMARY: On September 9, 2008 (Item 3L-2), the Board approved a Deed of Conservation Easement (Conservation Easement) over the entire 1,736.5626-acre Pond Cypress Natural Area (Natural Area/Original Premises). The amendment of Conservation Easement will modify the boundary of the Conservation Easement in accordance with a land exchange that was conceptually and formally approved by the Board on June 23, 2015 (Item 4A) and August 18, 2015 (Item 3L-1), respectively. A 0.668-acre parcel of land that is needed for the State Road 7 extension project will be released from the Conservation Easement (Removed Parcel). In exchange, 3.95 acres of equal or higher value lands will be removed from the original right of way for State Road 7 and added to the Conservation Easement (Additional Premises). The Conservation Easement shall remain in full force and effect as a covenant running with the land with respect to the remainder of the Original and Additional Premises. There is no cost to the County. District 6 (SS)



**FEBRUARY 9, 2021**

**CONSENT AGENDA**

**3H. FACILITIES DEVELOPMENT & OPERATIONS**

3. Staff recommends motion to receive and file: the executed documents received during the months of October and December 2020. A) An emergency purchase order agreement with Chestnut Ridge Foam, Inc. for mattresses and bedsprings for the **Royal Palm Lakes Apartments Pahokee Renovation project** in the amount of \$21,438.18; B) An emergency purchase order agreement with Family Furniture of America Enterprises, LLC for office furniture for the Royal Palm Lakes Apartments Pahokee Renovation project in the amount of \$79,149.73; C) An emergency purchase order agreement with Everglades Trading & Office Supply, LLC for cabinets for the Royal Palm Lakes Apartments Pahokee Renovation project in the amount of \$19,992.44; D) An emergency purchase order agreement with Wabash Valley Mfg, Inc. for receptacles with liner dome lid for the Royal Palm Lake Apartment Pahokee Renovation project in the amount of \$4,851.05; and E) Supplement No. 1 to Consultant Services Authorization (CSA) No. 1 to the professional services emergency contract with Partner Assessment Corporation d/b/a Partner Engineering & Science, Inc. for the Royal Palm Lakes Property in the amount of \$2,215 to collect ten (10) additional drinking water samples for laboratory analysis of lead. These samples will further evaluate the lead found in the previous samples of drinking water. SUMMARY: On April 6, 2020, the Board of County Commissioners (Board) received authorization from the Federal Emergency Management Agency (FEMA) to conduct non-congregate sheltering activities under the Public Assistance Program as part of the response to the coronavirus emergency. On June 2, 2020, the Board authorized the County Administrator or designee, which in this case was the Director of Facilities Development and Operations (FDO), to execute emergency design and construction contracts to renovate the Pahokee and Belle Glade Facilities as part of the County's Non-Congregate Sheltering Strategy for the Western Communities. The emergency purchase agreements include the furniture, fixtures and equipment required to finalize the project. These contracts were fully executed on behalf of the Board by the Director of FDO. In accordance with the County Policy and Procedures Manual (PPM) CW-0051, all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file agenda item. Pursuant to Section 2-80.22 of the Equal Business Opportunity (EBO) Ordinance and the County PPM CW-O-043, this project is exempt from the EBO requirements. The funding source for these contracts is from the CARES Act Relief fund. (Capital Improvements Division) Countywide/District 6 (LDC)

**3K. WATER UTILITIES**

3. Staff recommends motion to receive and file: an executed Standard Potable Water and Wastewater Development Agreement and a Standard Potable Water and Wastewater Development Renewal Agreement for the months of September and October 2020, and one executed Contract received during the month of November 2020. A) Standard Potable Water and Wastewater Development Agreement with Jeff Greene SDA #01-01269-000 (District 2), Recorded in OR BK 31826 PG 1382; B) Standard Potable Water and Wastewater Development

Renewal Agreement with Mattamy Palm Beach, LLC, SDRA #01-01233-001 (District 2), Recorded in OR BK 31826 PG 1373; and C) contract with Layne Christensen Company for the Mechanical Integrity Testing of the Southern Region Pumping Facility, Water Treatment Plant No. 11 and Southern Region Operations Center Deep Injection Wells (Project) (PBCWUD Project No. 20- 025) (Districts 5 & 6) 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, 5 & 6 (MJ)

### **3CC. SHERIFF**

1. Staff recommends motion to approve: a budget transfer of \$331,545 from the Law Enforcement Trust Fund (LETF) to the Palm Beach County Sheriff's Office (PBSO). SUMMARY: Section 932.7055(5), Florida Statutes; provides that the seizing agency shall use Forfeiture proceeds for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes, which include defraying the cost of protracted or complex investigations, providing additional equipment or expertise, purchasing automated external defibrillators, and providing matching grant funds. Section 932.7055(5), Florida Statutes; also requires that no less than 25% of the LETF's previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2021 donation requirement is \$152,405. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The year-to-date transfer for all donations to outside organizations after approval of this item is \$331,545. The funds requested are to aid PBSO and qualified organizations that meet the requirements set forth in Section 932.7055(5), Florida Statutes. Use of LETF requires approval by the Board, upon request of the Sheriff. The current State LETF balance is \$1,352,062. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$1,020,517. The PBSO certifies that the use of these funds is in accordance with Section 932.7055(5), Florida Statutes. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective organization or agency. No new positions are needed and no additional County funds are required. Countywide (DC)  
Palm Beach County PAL, Inc. - **Belle Glade Basketball \$25,000**

**MARCH 9, 2021**

**CONSENT AGENDA**

**3C. ENGINEERING & PUBLIC WORKS**

1. Staff recommends motion to approve: a contract with K-F Group, Inc. (KFG) in the amount of \$190,344.33 for professional engineering services for **60th Street North** from west of 140th Avenue North to Avocado Boulevard (Project). The limits for this Project are within existing Palm Beach County right-of-way. SUMMARY: Approval of this contract will provide the professional services necessary for preparation of an alignment study of the Project corridor, the first phase of this two-phased project. After the study is complete, the second phase will be conducted to provide design plans and construction bid documents to complete the Project. The Affirmative Procurement Initiatives selected for this contract on September 18, 2019 by the Goal Setting Committee are a 20% minimum mandatory Small Business Enterprise (SBE) participation and an SBE Evaluation Preference. KFG contractually agreed to 75% SBE participation during selection for the contract and their SBE participation during negotiation exceeded that goal. KFG is a Palm Beach County based company and a certified SBE company. This Project is included in the Five-Year Road Program. District 6 (YBH)
5. Staff recommends motion to adopt: fifteen resolutions to initiate eminent domain proceedings by declaring the acquisition of properties designated as parcels 106, 110, 111, and 113 as right-of-way easements and parcels 306, 309, 310, 311, 313, 314, 317, 321, 322, 323, 334, 336, 337, 338, and 340 as temporary construction easements necessary for the construction of roadway improvements on **Seminole Pratt Whitney Road from 86th Road North to Northlake Boulevard and on Northlake Boulevard from Seminole Pratt Whitney Road** to 1,300 feet east (Project). SUMMARY: Adoption of these resolutions will initiate eminent domain proceedings pursuant to Chapters 73, 74, 127, and Section 337.27(1), Florida Statutes as amended, against 19 parcels having a total appraised value of \$347,631. To date, the property owners have not accepted the offers to purchase made by Palm Beach County and attempts to negotiate the purchases have been unsuccessful. The parcels are necessary for the reconstruction of Seminole Pratt Whitney Road and Northlake Boulevard from two lane undivided roadways to four lane divided roadways. The Project also includes the installation of drainage, traffic signals, and sidewalks. Eminent domain proceedings are necessary to acquire the parcels at this time in order to expedite construction of the Project. This Project is included in the Five Year Road Program. District 6 (DO)

**3H. FACILITIES DEVELOPMENT & OPERATIONS**

13. Staff recommends motion to accept: a Quit-Claim Deed from **the City of Pahokee** (City) to correct a scrivener's error contained in the legal description of the Warranty Deed as recorded in Official Records Book 9672, pages 1401, of the Public Records of Palm Beach County, Florida (Warranty Deed). SUMMARY: On July 14, 2020, the Board of County Commissioners (Board) approved an Agreement for Purchase and Sale with Stephanie Iderosa to acquire a 0.34-acre parcel (Property) located at 1759 East Main Street in Pahokee (R2020-0925). The County closed on said acquisition on August 13, 2020. The City, who was a prior owner of the Property dating back to 1997, conveyed said Property by Warranty Deed, which contained a scrivener's

error with a directional call within the legal description. The Quit-Claim Deed corrects the scrivener's error and resolves any potential issue with the chain of title. The Quit-Claim Deed was executed by the City to correct the error in the legal description. (Property & Real Estate Management) District 6 (HJF)

### **3I. HOUSING & ECONOMIC SUSTAINABILITY**

2. Staff recommends motion to receive and file: Amendment 006 to Subgrant Agreement (R2015-0745) with the **City of South Bay** for a project funded under the U.S. Environmental Protection Agency (EPA) Revolving Loan Fund (RLF) program. SUMMARY: This document has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Sustainability in accordance with Agenda Item 3I-10 as approved by the BCC on October 16, 2012. Amendment 006 to Subgrant Agreement (R2015-0745) with the City of South Bay provides 12 additional months for the completion of site cleanup and monitoring as established by the Florida Department of Environmental Protection, and provides an additional \$86,032 in EPA RLF subgrant funds, bringing the total allocation for this project to \$436,032. The subject site is located at 480 U.S. Highway 27 North in South Bay and will be redeveloped for commercial use. 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. EPA funds require a 20% local match to be provided by the City of South Bay. Districts 6 (HJF)
3. Staff recommends motion to execute: a "Certification By State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan" for the **Pahokee Housing Authority** in connection with their Fiscal Year 2021 Annual Plan. SUMMARY: The Pahokee Housing Authority is preparing its Annual PHA Plans for the Fiscal Year beginning October 1, 2021. The Plan is due to the Department of Housing and Urban Development (HUD) on April 16, 2021. HUD requires the County to confirm that the plan and programs outlined in the Pahokee Housing Authority's Annual Plan are consistent with those set forth in the County's HUD Consolidated Plan. Confirmation of this consistency 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 Sustainability has reviewed the Pahokee Housing Authority's draft Annual PHA Plan Summary and determined that the goals, objectives and plans outlined therein are consistent with those outlined in the Palm Beach County Fiscal Year 2020-2024 HUD Consolidated Plan. Some specific goals outlined in the Pahokee Housing Authority's Plan which are consistent with the goals set forth in the County's Consolidated Plan, expand the supply of affordable housing; increase assisted housing choice options; 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)

### **3K. WATER UTILITIES**

2. Staff recommends motion to approve: a Partial Release of Utility Easement for that easement recorded in the Official Records of Palm Beach County, ORB 14578 Page 1895. SUMMARY: Palm Beach County Water Utilities Department (PBCWUD) is seeking the release of the County's interest in the utility easement recorded in the Official Records of Palm Beach

County as noted above. The Property Owner is requesting release of the portion of the easement that is no longer associated with any public potable water, reclaimed water and wastewater facilities. As a result of site development for Aldi (Florida) L.L.C., this portion of the existing utility easement is no longer required. PBCWUD has determined that the release of the easement will not affect existing or new public potable water, reclaimed water and wastewater facilities and therefore recommends approval of the release. District 6 (MJ)

### **3M. PARKS & RECREATION**

1. Staff recommends motion to approve: A) an amendment to the Infrastructure Surtax (IST) Project Plan approved by the Board of County Commissioners on April 4, 2017; and B) a budget transfer of \$235,000 within the IST Fund to **re-allocate \$135,000 from Duncan Padgett Park Racquetball Court Replacement and \$100,000 from Sports Lighting Replacement Countywide FY20 to Duncan Padgett Park Picnic Area Improvements Project.** SUMMARY: The racquetball courts are under-utilized at the Duncan Padgett Park and it would be more beneficial to the community to construct a picnic pavilion and associated amenities. Project elements would include construction of a large picnic pavilion with tables, grills, new sidewalk, landscaping, lighting, drainage and parking. The Department is requesting that \$235,000 in IST funding allocated to replace the racquetball courts and associated lighting be moved into a new project entitled, Duncan Padgett Park Picnic Area Improvements. On February 18, 2021, the required type 3 transfer request was presented to the Infrastructure Sales Tax Independent Citizen Oversight Committee (Committee), as the Committee's procedures require the approval of type 3 transfers by the Committee prior to presentation to the Board of County Commissioners. Under current law, and notwithstanding the additional challenges resulting from the COVID19 pandemic, the Committee is required to attain a quorum based on in-person attendance. During the February 18, 2021 Committee meeting, there were four Committee members physically present and six Committee members that participated through communications media technology (i.e. virtually). Therefore, the required quorum was not attained and voting on items presented to the Committee could not proceed. A similar challenge was encountered during the November 2020 Committee meeting. All ten Committee members that participated in the February 18, 2021 meeting indicated having no reservations for approval of the transfer request had voting been feasible. Based on what precedes and in consideration of the detrimental impact that further delaying implementation would have on the project schedule, Staff is recommending approval of the transfer without a recommendation from the Committee. This project is funded through the infrastructure sales tax. District 6 (AH)
2. Staff recommends motion to approve: A) an amendment to the Infrastructure Surtax (IST) Project Plan approved by the Board of County Commissioners on April 4, 2017; and B) a budget transfer of **\$100,000 within the IST Fund from IST Departmental Reserves to the Glades Pioneer Park Asphalt Repair and Expansion Project.** SUMMARY: The purpose of this transfer is to establish funding for a new project entitled Glades Pioneer Park Asphalt Repair and Expansion. The project scope includes 12,920 square yards of new asphalt overlay of the parking areas and service/pedestrian roads servicing the baseball fields and expansion of the east service/pedestrian road. The Department has received Community Development Block Grant funding in the amount of \$140,000 for this project. However, the estimated expenses

are expected to exceed the available budgeted amount by \$100,000. This request is to transfer \$100,000 from IST Departmental Reserves to cover the current shortfall. On February 18, 2021, the required type 3 transfer request was presented to the Infrastructure Sales Tax Independent Citizen Oversight Committee (Committee), as the Committee's procedures require the approval of type 3 transfers by the Committee prior to presentation to the Board of County Commissioners. Under current law, and notwithstanding the additional challenges resulting from the COVID19 pandemic, the Committee is required to attain a quorum based on in-person attendance. During the February 18, 2021 Committee meeting, there were four Committee members physically present and six Committee members that participated through communications media technology (i.e. virtually). Therefore, the required quorum was not attained and voting on items presented to the Committee could not proceed. A similar challenge was encountered during the November 2020 Committee meeting. All ten Committee members that participated in the February 18, 2021 meeting indicated having no reservations for approval of the transfer request had voting been feasible. Based on what precedes and in consideration of the detrimental impact that further delaying implementation would have on the project schedule, Staff is recommending approval of the transfer without a recommendation from the Committee. This project is funded through the infrastructure sales tax. District 6 (AH)

3. Staff recommends motion to approve: A) an amendment to the Infrastructure Surtax (IST) Project Plan approved by the Board of County Commissioners on April 4, 2017; and B) a budget transfer of **\$210,000 within the IST Fund from IST Departmental Reserves to the Glades Pioneer Park Athletic Field Renovation Project**. SUMMARY: The purpose of this transfer is to allow for the design of a synthetic turf field at Glades Pioneer Park to occur concurrently with the design of other active synthetic turf projects identified in the Infrastructure Sales Tax Project Plan. The park currently has two fields; however, the other synthetic turf field was already completed as part of grant funded project through the Orange Bowl. Design and construction of the subject synthetic turf field at Glades Pioneer Park is scheduled to be funded in FY 2023 in the amount of \$2,000,000. The Parks and Recreation Department wishes to transfer sufficient funds from the Departmental Reserves to advance the design portion of the project to FY 2021 to achieve cost savings through use of the consultant and subcontractors that are already in the process of designing the other synthetic turf fields included in the Plan, as well as to retain future consistency in the timing of synthetic field renewals/replacements countywide. The Glades Pioneer Park Athletic Field Renovation was the only synthetic turf project to not have funding established prior to FY 2023. On February 18, 2021, the required type 2 transfer request was presented to the Infrastructure Sales Tax Independent Citizen Oversight Committee (Committee), as the Committee's procedures require the approval of type 2 transfers by the Committee prior to presentation to the Board of County Commissioners. Under current law, and notwithstanding the additional challenges resulting from the COVID19 pandemic, the Committee is required to attain a quorum based on in-person attendance. During the February 18, 2021 Committee meeting, there were four Committee members physically present and six Committee members that participated through communications media technology (i.e. virtually). Therefore, the required quorum was not attained and voting on items presented to the Committee could not proceed. A similar challenge was encountered during the November

2020 Committee meeting. All ten Committee members that participated in the February 18, 2021 meeting indicated having no reservations for approval of the transfer request had voting been feasible. Based on what precedes and in consideration of the detrimental impact that further delaying implementation would have on the project schedule, Staff is recommending approval of the transfer without a recommendation from the Committee. This project is funded through the infrastructure sales tax. District 6 (AH)

## **PUBLIC HEARINGS**

### **5A. PUBLIC SAFETY**

1. Staff recommends motion to adopt: an ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code, Chapter 13, Article II, (Ordinance No. R.2017-030) titled the EMS Ordinance; amending Section 13-20(d) (COPCN and endorsements required); providing a savings clause; providing severability; providing inclusion in the code of laws and ordinances; providing captions; and providing for an effective date. SUMMARY: On February 2, 2021, the Board of County Commissioners approved a preliminary reading and advertise for public hearing. The Emergency Medical Services (EMS) Ordinance establishes standards for issuing Certificates of Public Convenience and Necessity (COPCN's) which are required to provide emergency medical services in the County including the provision of Advanced Life Support (ALS) transport and Basic Life Support (BLS) inter-facility transfer services. Currently, the EMS Ordinance restricts governmental agencies from providing inter-facility transfer services; which are termed Secondary Services. The Health Care District of Palm Beach County (HCD) wants to develop their own hospital based emergency medical system and apply for a Secondary Service Provider COPCN to provide inter-facility transports of patients which would be limited to patients needing transports from **Lakeside Medical Center, a public hospital in Belle Glade**, to other HCD facilities and specialized treatment centers and patients needing transports to and from the JFK North Addiction Stabilization Unit operated in partnership with HCD and the County. This amendment to the EMS ordinance would allow a governmental agency operating a public hospital to provide limited inter-facility transfer services with conditions when such hospital has obtained a COPCN from the County and a license from the State. Following approval of this amendment, the HCD is eligible to apply for a Secondary COPCN; which would still come back to the Board of County Commissioners for review and approval as part of the regular Secondary COPCN solicitation process that expires June 30, 2021. At the December 17, 2020 EMS Council meeting, the EMS Council reviewed and unanimously recommended approval of the EMS Ordinance revisions. This proposed amendment to the EMS Ordinance was presented to the League of Cities on January 20, 2021. Countywide (LDC)

## **REGULAR AGENDA**

### **6D. HOUSING AND ECONOMIC SUSTAINABILITY**

1. Staff recommends motion to approve: A) an Economic Development Incentive Agreement (Agreement) with **FINFROCK SOUTH FLORIDA, LLC (Company)**, to provide a cash grant in an amount not to exceed \$1,900,000 over a ten year period and an ad valorem tax exemption in an amount not to exceed \$400,000 over a ten year period; B) a budget transfer of

\$1,900,000 from the General Fund Contingency Reserves to the Economic Development Incentive Fund; and C) a budget amendment of \$1,900,000 in the Economic Development Incentive Fund to recognize the funds from the General Fund. SUMMARY: On February 11, 2020 the Board of County Commissioners (BCC) conceptually approved (R2020-0177), an Economic Development Incentive (Incentive) for the Company totaling \$2,300,000. This Agreement discloses the name of the Company, FINFROCK SOUTH FLORIDA, LLC, previously referred to as Project Jacobson. The Company is a design-build general contractor and precast concrete manufacturer. The Agreement requires the Company to make a minimum capital investment of \$36,000,000 to purchase approximately 94 acres of land as well as construct and equip a 140,000 square foot manufacturing facility. The Company shall create 200 new jobs over a ten year period with an annualized average wage of \$38,000 excluding benefits and a median wage of \$33,000 excluding benefits. The Company is required to maintain the new jobs for three years from the date of creation. The five year economic impact is estimated to be at least \$242 million. The capital investment and economic impact included in the Conceptual Approval (\$45.5 million and \$272 million, respectively) have been reduced as the Company is taking a more conservative approach to the construction and equipment costs and the Company has increased the job creation timeline from five to ten years to allow for building construction. A County Incentive is recommended based on the project's location in Belle Glade, where the unemployment and poverty rates are high. Provided the project meets the requirements of the Agreement and those under applicable Florida law, the Palm Beach County Incentive will be provided in the form of a cash grant in an amount not to exceed \$1,900,000 over a ten year period and an ad valorem tax exemption in an amount not to exceed \$400,000 over a ten year period. District 6 (DB)



**APRIL 6, 2021**

**CONSENT AGENDA**

**3E. COMMUNITY SERVICES**

4. Staff recommends motion to approve: A) a Use of Facility Agreement for Government Entities with The City of Pahokee (Meal Site), at no cost to the County, for the five year period April 6, 2021 through April 5, 2026, to provide a **congregate meal site for seniors at The Pahokee Wellness Center**; and

B) a Use of Facility Agreement for Government Entities with The City of South Bay (Meal Site), at no cost to the County, for the five year period April 6, 2021 through April 5, 2026, to provide a **congregate meal site for seniors at The City of South Bay Tanner Park Community Center**. 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 Meal Sites will recruit volunteers to operate the sites. DSVS will provide training for the volunteers. Meals and necessary food related services and supplies shall be furnished by the County through its designated food service vendor, subject to the availability of funds. The Meal Sites currently remain closed due to COVID-19. The OAA grant requires that the Use of Facility Agreements be in place prior to reopening. Seniors receiving home delivered meals prior and during the COVID-19 pandemic are continuing to do so without interruption in services. 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 delivered meals for those seniors who do not have transportation to pick up their meals and 2) through “grab and go” at one distribution site. The City of Pahokee served 1,176 meals to seniors in Calendar Year (CY) 2019. The City of South Bay served 2,477 meals to seniors in CY 2019. The estimated total cost of the meals is \$13,938, and is funded under OAA in the amount of \$12,544 (90%) and \$1,394 (10%) in County match. Sufficient funding is included in the current budget to meet County obligations. DSVS is responsible for providing services north of Hypoluxo Road. The areas of service exclude portions of Districts 3, 4, 5 and 7 south of Hypoluxo Road. The Mae Volen Center, Inc. is responsible for providing services in the excluded areas. No additional County funds are required. (Division of Senior Services) Countywide except for portions of Districts 3, 4, 5, & 7 south of Hypoluxo Road (HH)

**3K. WATER UTILITIES**

1. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 1 to the Consulting/Professional Services Utility Distribution & Collection System Engineering Services Contract (Contract) with Holtz Consulting Engineers, Inc. (Consultant) for the Valve Additions - Phase 1 (Project) for a not to exceed amount of \$200,714.90. SUMMARY: On December 15, 2020, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2020-1897) with Consultant. CSA No. 1 provides for

professional engineering services relating to design and permitting of the Project. These services include utility locates, construction plans, permitting and bid support services for the addition of 80 valves on existing water mains and force mains at critical locations. 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 (API) of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting goal and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified SBE firms were the API applied to the Contract. The Contract provides for 96% SBE participation, which includes 90% M/WBE participation, 85% MBE (H), and 5% MBE (A). CSA No. 1 includes 71.7% SBE participation which includes 71.7% M/WBE participation, 71.7% MBE (H). The cumulative SBE participation including CSA No. 1 is 71.7% SBE, which includes 71.7% MBE (H). Consultant is a Palm Beach County based company. The Project is included in the PBCWUD FY21 Budget. (PBCWUD Project No. 21-016) Districts 1, 2, 3, 4, 5, & 6 (MJ)

2. Staff recommends motion to approve: a Consent to Easement Agreement (Easement) between United States of America, Department of the Army (USADA) and Palm Beach County (County) on property located across the Herbert Hoover Dike (HHD) in Pahokee. SUMMARY: The proposed Easement (Consent No. DACW17-9- 20-0073) to use the United States Army Corps of Engineers (USACE) right-of-way is required over the HHD where Palm Beach County Water Utilities Department (PBCWUD) is proposing to install water and sewer improvements. **The Easement will provide PBCWUD staff access to the HHD to construct, use, maintain, control, operate and repair these improvements in Pahokee.** USACE has requested to replace the existing Easement (Consent No. DACW17-9-13-0100) to cover all work necessary to make the connections of the new water and sewer mains that require approval by the Board of County Commissioners. The terms of the Easement will be indefinite unless there are any changes with the water or sewer mains. PBCWUD recommends approval of the Easement. (PBCWUD Project No.18-056) District 6 (MJ)

### **3EE. OFFICE OF COMMUNITY REVITALIZATION**

1. Staff recommends motion to approve: A) an expenditure of an additional \$15,000 to purchase school supplies and other items for the 2021 Back To School PBC! Drive up event; and B) the first amendment to the contract with Spirit of Giving Network, Inc. (Agency) SUMMARY: The requested funding of \$15,000 is needed to provide additional funding for school supplies and other items required for the Event. The Event has been scheduled for July 24, 2021. On January 12, 2021, the Board of County Commissioners approved a contract with the Agency in an amount not to exceed \$100,000 to assist in the implementation of the Event (R2021-0098). After further review, and given both the increased number of students served last year and increased cost of the Event, it was determined that an additional \$15,000 will be required. Last year, any additional supplies or items needed were funded by the Agency but it can no longer allocate funding for this purpose. The first amendment to the contract with the Agency increases the contract amount by \$15,000 and amends the scope of work to include the purchase of these additional school supplies and items. District 6 (HH)

## REGULAR AGENDA

### **5A. ENGINEERING & PUBLIC WORKS**

1. Staff recommends motion to adopt: a resolution amending Resolution R2020-1618, which repealed and replaced Resolution R2011-0860, designating certain parcels of land owned by Palm Beach County as road right-of-way for the **State Road 7 Extension from Okeechobee Boulevard to 60th Street North** (Project). SUMMARY: Adoption of this resolution will update the right-of-way designation for the Project, including an updated legal description associated with the conveyance from the Village of Royal Palm Beach as recorded in Official Record Book 21063, Page 283 within the Plat of La Mancha Two recorded in Plat Book 29, Page 196. District 6 (YBH)

### **5B. ENVIRONMENTAL RESOURCES MANAGEMENT**

1. Staff recommends motion to: A) approve a County Deed to convey 170.592 acres of lands within an unused portion of the **State Road 7** (SR 7) right of way (surplus lands) back to the Florida Department of Transportation (FDOT) in order to facilitate the correction of lands conveyed in the Quitclaim Deed that was executed by FDOT, in favor of the County, on November 21, 2017 and recorded as OR Book 29681, Page 1692 (Original Quitclaim Deed); B) accept a Quitclaim Deed from FDOT that conveys ownership of 183.911 acres of FDOT-owned surplus lands, which are contiguous to a County-owned natural area, to the County (Replacement Quitclaim Deed); and C) authorize the Mayor to execute a Deed of Conservation Easement (Conservation Easement) for approximately 213.814 acres of surplus lands, in favor of South Florida Water Management District (SFWMD) and with third party enforcement rights to U.S. Army Corps of Engineers (USACE) and U.S. Fish and Wildlife Service (USFWS).

SUMMARY: On December 19, 2017, the Board adopted/approved two County resolutions (R2017-1949 and R2017-1950), a Memorandum of Agreement with FDOT (R2017-1951, MOA) and a Joint Participation Agreement with FDOT (R2017-1952, JPA). The MOA and JPA were executed by FDOT on January 22, 2018; the JPA was clarified by FDOT on September 21, 2020 and approved by the County Administrator on September 25, 2020. These four documents detailed County and FDOT responsibilities related to the acquisition, preservation and maintenance of high quality wetlands and uplands within the unused portion of the SR 7 right of way to help satisfy Everglade snail kite mitigation requirements for the joint SR 7 extension project. In December 2020, the County fulfilled its obligation to acquire all non-FDOT-owned surplus lands that were contiguous to a County-owned natural area. In November 2017, a portion of the FDOT-owned surplus lands were conveyed by FDOT to the County, subject to a reverter clause requiring that those lands be used solely for conservation purposes as specified in the deed. Unfortunately, the November 2017 deed inadvertently included approximately 3.301 acres of surplus land that were not contiguous to a County-owned natural area, and omitted two areas of FDOT-owned surplus lands (totaling 16.620 acres) that were contiguous to County-owned natural area. Approval of this agenda item will return lands to FDOT that were not supposed to be conveyed to the County for Everglade snail kite mitigation purposes. It also will allow the County to accept title to all FDOT-owned surplus lands that are contiguous to a County-owned natural area, subject to a reverter clause

requiring that those lands be used solely for conservation purposes as specified in the deed. A Conservation Easement, in favor of SFWMD and with third party enforcement rights to USACE and USFWS, will be placed over approximately 213.814 acres of County-owned surplus lands once the County Deed and Replacement Quitclaim Deed have been fully executed and recorded. The deeds will not be recorded until all County due diligence has been completed. The Conservation Easement will remain in full force and effect as a covenant running with the land forever and in perpetuity. There is no cost to the County. Districts 1, 2 & 6 (SS)

## **5E. FACILITIES DEVELOPMENT AND OPERATIONS**

1. Staff recommends motion to receive and file: a nine-month status report on operations of the **Lewis Center Annex at 673 Fairgrounds Road in unincorporated West Palm Beach**. SUMMARY: On February 25, 2020, the Board of County Commissioners (Board) approved the Sheltering and Housing Strategy Annex to Leading the Way Home – Palm Beach County’s Plan to End the Cycle of Homelessness. A key component of that strategy was to expand shelter and housing opportunities until the future opening of Homeless Resource Center 2 in the western Lake Worth Beach/Palm Springs area. To accomplish this strategy the Board approved of temporarily repurposing a portion of the 17-acre County-owned property at 673 Fairgrounds Road that was formerly used as a correctional facility into an emergency shelter providing up to 125 beds for individuals and couples experiencing homelessness. At that time, and in response to community concern, the Board committed to receive a status report of the facility following nine months of operations. The facility commenced operations on July 6, 2020, and the April 6, 2021 Board meeting will coincide with the ninth month of operations. This agenda item serves to fulfill the commitment for the nine-month status report. (FDO) District 6/Countywide (LDC)

**APRIL 20, 2021**

**CONSENT AGENDA**

**3I. HOUSING AND ECONOMIC SUSTAINABILITY**

3. Staff recommends motion to approve: A) a budget transfer of \$2,013,645 in the Housing and Economic Sustainability Fund to set up transfers and allocate funds for capital projects to be funded from Federal Community Development Block Grant Funds; B) a budget amendment of \$1,217,838 in the Public Building Fund to recognize the transfer from the Housing and Economic Sustainability Fund and to appropriate funds for approved capital projects; and C) a budget amendment of \$795,807 in the Transportation Improvement Fund to recognize the transfer from the Housing and Economic Sustainability Fund and to appropriate funds for an approved capital project. SUMMARY: On July 14, 2020, the Board of County Commissioners adopted Resolution Number R2020-0926 which approved the Fiscal Year 2020-2021 Action Plan. The Action Plan is Palm Beach County's application to HUD for funding under the Community Development Block Grant (CDBG), HOME and ESG Programs. Included in the Action Plan were allocations of CDBG Federal funds for the Wabasso Drive Bridge Replacement project for \$795,807, the Jupiter Health Center Restroom Renovation project for \$196,838, the Lantana/Lake Worth Public Health Clinic project for \$60,000, and **the CL Brumback Health Center Renovation project for \$961,000**. The Memorandum of Understanding agreements with Palm Beach County (PBC) Department of Facilities Development and Operations (FDO), the PBC Engineering Department and the Department of Housing and Economic Sustainability require that interdepartmental budget transfers be established to reimburse FDO and Engineering for eligible project costs. These budget transfers and amendments are necessary to appropriate the required budget. These are CDBG funds which require no local match. Districts 1, 6 & 7 (HJF)

**3K. WATER UTILITIES**

1. Staff recommends motion to receive and file: two executed Standard Potable Water and Wastewater Development Agreements for the month of December 2020. A) Standard Potable Water and Wastewater Development Agreement with Gold Coast Premier Properties VI, LLC SDA #01-01270-000 (District 2), Recorded in OR BK 32023 PG 0347; and B) Standard Potable Water and Wastewater Development Agreement with BW Southern Binks, LLC SDA #11-01017-000 (District 6), Recorded in OR BK 32023 PG 0336. 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 & 6 (MJ)

2. Staff recommends motion to approve: Change Order (CO) No. 2 with Hinterland Group Inc., (Contractor) for the Lift Station Rehabilitation Project A Bid Package 2 (Project) in the amount of \$113,880.07 and 105 calendar days. SUMMARY: On September 18, 2018, the Board of County Commissioners (BCC) approved the Palm Beach County Water Utilities Department (PBCWUD) Contract for the Lift Station Rehabilitation Project A Bid Package 2 (R2018-1383). The contract provides for the rehabilitation of 30 lift stations throughout the PBCWUD service area to meet current PBCWUD Standards. CO No. 2 provides for modifications needed to the original design at several lift stations. Three lift stations have differing site conditions and require additional fittings and piping. Three lift stations with elevation differences to the adjacent properties need concrete work for extra sidewalk and curbing. Twenty-six lift stations have adjustments to instrumentation and pressure gauges that are owner initiated. CO No.2 will increase the contract by \$113,880.07 and extend the contract time by 105 days. The contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2002-0064) prior to the adoption of the new Equal Business Opportunity Ordinance on October 16, 2018. The SBE goal established under the 2002 Ordinance was 15% overall participation. The contract provides for 95% SBE participation. CO No. 2 includes 100% SBE participation. The cumulative SBE participation including CO No. 2 is 100%. The Contractor is a Palm Beach County based company. The Project is included in the PBCWUD FY21 Budget. (PBCWUD Project No. 15-096) Districts 2, 3, 4, 5 & 6 (MJ)
5. Staff recommends motion to approve: A) contracts for Consulting/Professional Services Pressure Pipeline Engineering Services with: 1) Keshavarz & Associates, Inc. (K&A) and 2) Mock, Roos & Associates, Inc. (MRA); B) Consultant Services Authorization (CSA) No. 1 with K&A for the Golfview Heights of Westgate Water Main Replacement (Westgate) for a not to exceed amount of \$666,053.20; and C) CSA No. 1 with MRA for the FPL Water Main Redundancy Installation (FPL) for a not to exceed amount of \$428,274.84. SUMMARY: The contracts will provide consulting/professional engineering services for the installation and/or replacement of Palm Beach County Water Utilities Department (PBCWUD) potable, reclaimed and raw water mains. The contracts have a term of five years. The contracts were presented to the Goal Setting Committee on July 1, 2020, and a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting goal and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified African American owned firms were the Affirmative Procurement Initiatives (API) applied to the contracts. K&A and MRA have met the established API for this contract. The contract with K&A provides for 95% SBE Participation, which includes 95% M/WBE participation, 20% MBE (B), and 75% MBE (A). K&A is a Palm Beach County based company (PBCWUD Project No. 20-044). The contract with MRA provides for 34% SBE participation, which includes 34% M/WBE participation, 34% MBE (B). MRA is a Palm Beach County based company (PBCWUD Project No. 20-044). CSA No. 1 with K&A provides for professional engineering services relating to design and permitting of the Westgate Project. These services include survey, geotechnical engineering services, construction plans, permitting and bid support services for the replacement of approximately 23,000 linear feet of water main. CSA No. 1 with K&A provides for 98.03% SBE participation which includes 98.03% MBE, 11.21% MBE (B) and 86.82% MBE (A). The Project is included in the PBCWUD FY21 Budget (PBCWUD Project No. 21-025). CSA No. 1 with MRA provides for professional engineering services relating to design and permitting of the FPL Project. These

services include survey, geotechnical engineering services construction plans, permitting and bid support services for the installation of approximately 29,000 linear feet of water main. CSA No. 1 with MRA provides for 34.28% SBE participation which includes 34.28% M/WBE participation, 34.28% MBE (B). The Project is included in the PBCWUD FY21 Budget. (PBCWUD Project No. 21- 026). Countywide/Districts 6 & 7 (MJ)

7. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 1 to the Consulting/Professional Services Utility Distribution & Collection System Consulting Services Contract (Contract) with Keshavarz & Associates, Inc. (Consultant) for the **Belle Glade Water Main Improvements**; SE Zone 4 Water System Replacement Project (Project) for a not to exceed amount of \$571,537.68. SUMMARY: On December 15, 2020, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2020-1898) with Consultant. CSA No. 1 provides for professional engineering services relating to survey, design and permitting of the Project. These services include, survey, subsurface utility exploration, geotechnical exploration, construction plans, permitting, outreach support and bid support services for the replacement and relocation of approximately 16,000 linear feet of water mains within the south east area of the City of Belle Glade designated as Zone 4. Project also includes the relocation of approximately 31 water services from the rear of the property to the front of the property. 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 (API) of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting goal and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified SBE firms were the API applied to the Contract. The Contract provides for 85% SBE participation, which includes 85% M/WBE participation, 82% MBE (A), and 3% MBE (B). CSA No. 1 includes 86.79% SBE participation which includes 86.79% M/WBE participation, 86.79% MBE (A). The cumulative SBE participation including CSA No. 1 is 86.79% SBE, which includes 86.79% MBE (A). Consultant is a Palm Beach County based company. The Project is included in the PBCWUD FY21 Budget. (PBCWUD Project No. 21-033) District 6 (MJ)

## **REGULAR AGENDA**

### **6A. FACILITIES DEVELOPMENT AND OPERATIONS**

2. Staff recommends motion to: A) adopt a resolution authorizing the conveyance of six properties that escheated to the County to **the City of Belle Glade** (City) pursuant to Section 197.592.(3), Florida Statutes without charge and with reservation of mineral and petroleum rights, but without rights to entry and exploration; and B) approve six County Deeds in favor of the City. SUMMARY: The County acquired six parcels located within the municipal boundaries of the City by Tax Deed. The parcels serve no present or future County purpose. Pursuant to Section 197.592(3), Florida Statutes, properties that escheated to the County for delinquent ad valorem taxes which have not been previously sold, acquired for infill housing or dedicated by the Board of County Commissioners and which have not been conveyed to the former record fee simple owner, shall be conveyed to the municipality in which they are located. Conveyance will relieve the County of potential liability and maintenance costs of the

property. The parcels total 0.4539 acres and range in size from 0.06 acres to 0.12 acres. The total assessed value of the six parcels is \$72,455 and the parcels vary in value from \$2,666 to \$31,888. In accordance with Section 270.11, Florida Statutes, the County will retain mineral and petroleum rights without rights of entry and exploration. This conveyance must be approved by a Supermajority Vote (5 Commissioners). (Property & Real Estate Management) District 6 (HJF)

## **6B. HOUSING AND ECONOMIC SUSTAINABILITY**

1. Staff recommends motion to conceptually approve: a Neighborhood Stabilization Program 1 (NSP1) funding allocation of up to **\$800,000 for the demolition of the former Gove Elementary School in Belle Glade**. SUMMARY: On April 29, 2020, the School Board of Palm Beach County conveyed to the City of Belle Glade (the City) ownership of the former Gove Elementary School, a 10-acre property located at 900 SE Avenue G, Belle Glade. Terms of the donation require that the property be used solely for workforce housing and related uses. The City will solicit a developer to take ownership and to redevelop the site, including demolition of the existing buildings and new construction of single-family or multi-family homes. The number of housing units and type of construction are dependent on the development plans of the developer to be selected by the City. It is envisioned that the NSP1 funds would be awarded as a grant to the selected developer, after final approval by the Board of County Commissioners. An early estimate from the School Board placed demolition cost at approximately \$800,000. The costs associated with demolition appears to be a barrier to a successful developer pool. This approval will provide assurances to any interested developer that funding is in place for demolition The City has also secured a \$120,000 grant from the Solid Waste Authority of Palm Beach County towards costs of demolition. NSP regulations require that assisted housing units remain affordable to households with incomes no greater than 120% of Area Median Income for no less than 15 years for sale housing and for no less than 20 years for rental housing. These are NSP1 program income funds which require no local match. District 6 (HJF)



**MAY 4, 2021**

**CONSENT AGENDA**

**3C. ENGINEERING & PUBLIC WORKS**

1. Staff recommends motion to: A) adopt a resolution to approve the State Funded Grant (SFG) agreement with the State of Florida Department of Transportation (FDOT) in the amount of **\$505,000 for the construction and construction engineering inspection (CEI) for the intersection improvement of SR 7 and Weisman Way** (Project); B) approve the SFG agreement with FDOT in the amount of \$505,000 for the construction and CEI of the Project with an expiration date of December 31, 2023; and C) approve a budget amendment of \$505,000 in the Impact Fee Zone 3 fund to recognize the SFG agreement with FDOT and appropriate it to the Project. SUMMARY: Approval of this agreement will allow Palm Beach County (County) to receive a grant of \$505,000 through FDOT's County Incentive Grant Program for the Project. The Project will add a second westbound left turn lane on Weisman Way at SR 7, and will provide a mast arm traffic signal system at the intersection. The current estimated construction and CEI cost of the Project is \$1,010,000. The local match of 50% is \$505,000. The County will be responsible for all costs above the grant amount and for maintenance of the improvements not located on the State Highway System after construction is complete. The Catalog of State Financial Assistance number for this grant is 55.008. This Project is included in the Five-Year Road Program. District 6 (YBH)

**3H. FACILITIES DEVELOPMENT & OPERATIONS**

8. Staff recommends motion to approve: Change Order No. 37 to Amendment No. 3 of the construction management at risk contract with Hedrick Brothers Construction Co. Inc. (R2016-0430) decreasing the Guaranteed Maximum Price (GMP) for **construction management services for the Detention Facilities Renewal/Replacement Western Detention Center PODS A&B project in the amount of \$650,225.80**. SUMMARY: On April 5, 2016, the Board of County Commissioners (Board) approved the construction management at risk contract with Hedrick Brothers Construction Co. Inc. The Project included a five year capital improvement program for the renewal/ replacement of major building systems at the County's detention facilities including the Main Detention Center, the Western Detention Center and the Central Detention Center. On May 1, 2018, the Board authorized Amendment No. 3 (R2018-0663) in the amount of \$7,553,277 for the replacement of the roof, doors, windows, hot water heaters, generators, epoxy flooring and lighting fixtures; patching and painting the exterior of the building; the creation of a control room to backup central control; and installation of backup generators. There is \$650,225.80 remaining as a result of unused general conditions, allowances, and contractor contingency. A portion of the savings will be returned to the Infrastructure Sales Tax fund, while the remaining balance will be returned to the Public Building Improvement fund. The contract was awarded under the prior Small Business Enterprise (SBE) Ordinance, and the SBE participation goal was 15% under the prior SBE program. The construction manager (CM) is not an SBE. The CM has partnered with Cooper Construction Management & Consulting, Inc., a Small/Minority Business Enterprise CM, for services in an amount not less than 15% of the construction management fee and is sharing

in the CM earned overhead/profit. Hedrick Brothers Construction Co. Inc is not an SBE, but is a Palm Beach County business. The SBE participation for this change order is 8.16%. The revised SBE participation for the project after adjusted for Change Order No. 37 to Amendment No. 3, is 77.71%. (Capital Improvements Division) Countywide/District 6 (LDC)

### 3K. WATER UTILITIES

1. Staff recommends motion to approve: Work Authorization (WA) No. 13 to the 2019 Pipeline Continuing Construction Contract (Continuing Contract) with Johnson-Davis Incorporated (Contractor) for the Utility Adjustments for the **City of Belle Glade Road Resurfacing Project - Phase 2 (Project) in the amount of \$2,856,207.09**. SUMMARY: On February 11, 2020, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2020-0160) with Contractor. WA No. 13 provides for the replacement of the existing water mains along NE Ave 18th St, NE 22th St, NE 23rd St, NE 26th St, NE 28th St, NE 31st St, NE 32nd St, NW Ave F, NW Ave F Pl, NW Ave G, SW 5th St, SW 15th Dr., NE Ave G and NE Ave I in the City of Belle Glade. The Project includes the installation of approximately 1,250 linear feet of 6-inch, 13,300 linear feet of 8-inch and 1,050 linear feet of 12-inch water mains including the associated valves, fire hydrants, water services, site restoration and appurtenances in accordance with the construction documents and governing regulations. The Continuing Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On April 3, 2019, the Goal Setting Committee applied an Affirmative Procurement Initiative of a mandatory 20% Small Business Enterprise (SBE) subcontracting participation. The Continuing Contract provides for 20.07% SBE participation. WA No. 13 includes 20.04% SBE participation, which includes 0.29% M/WBE, 0.29% (B). The cumulative SBE participation including WA No. 13 is 21.96%, which includes 0.08% M/WBE, 0.08% (B). Contractor is a Palm Beach County based company. The Project is included in the PBCWUD FY21 Budget. (PBCWUD Project No. 20-030) District 6 (MJ)
2. Staff recommends motion to approve: Work Authorization (WA) No. 2 to the Lift Station Rehabilitation Continuing Construction Contract 2020 (Continuing Contract) with Hinterland Group Inc. (Hinterland) for the **Loxahatchee Groves Park Lift Station and Force Main (Project) in the amount of \$234,386.65**. SUMMARY: On September 15, 2020, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2020-1379) with Hinterland. WA No. 2 provides for the conversion of a restroom sanitary system in the Loxahatchee Groves Park, from a septic to a pressurized system, consisting of the installation of a Manufactured Odorless Pump Station and 280 linear feet of 4-inch force main connecting to the PBCWUD wastewater collection system. The Continuing Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On January 15, 2020, the Goal Setting Committee applied an Affirmative Procurement Initiative of a mandatory 20% Small Business Enterprise (SBE) subcontracting participation, of which 3% shall be among certified African American and/or Hispanic American owned firms. The Continuing Contract provides for 26.87% SBE participation which includes 3.18% M/WBE participation, 3.18% MBE (H). WA No. 2 includes 4.84% SBE participation which includes 1.68% M/WBE participation, 1.68% MBE (H). The cumulative SBE participation including WA No. 2 is 4.84% which includes 1.68% M/WBE participation, 1.68% MBE (H). Hinterland is a

Palm Beach County based Company. This project is funded through the infrastructure sales tax. (PBCWUD Project No. 19-064) District 6 (MJ)

3. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 2 to the Consulting/Professional Services Utility Distribution & Collection System Engineering Services Contract (Contract) with Keshavarz & Associates, Inc. (Consultant) for the **Belle Glade Water Main Improvements; SE Zone 6 Water System Replacement (Project) for a not to exceed amount of \$614,111.43**. SUMMARY: On December 15, 2020, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2020-1898) with Consultant. CSA No. 2 provides for professional engineering services relating to survey, design and permitting of the Project. These services include, survey, subsurface utility exploration, geotechnical exploration, construction plans, permitting, outreach support and bid support services for the replacement and relocation of approximately 17,500 linear feet of water mains within the south east area of the City of Belle Glade designated as Zone 6. Project also includes the relocation of approximately 189 water services from the rear of the property to the front of the property. 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 (API) of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting goal and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified SBE firms were the API applied to the Contract. The Contract provides for 85% SBE participation, which includes 85% M/WBE participation, 82% MBE (A), and 3% MBE (B). CSA No. 2 includes 87.5% SBE participation, which includes 87.5% M/WBE participation, 87.5% MBE (A), and 0% MBE (B). The cumulative SBE participation including CSA No. 2 is 87.5% SBE, which includes 87.5% M/WBE participation, 87.5% MBE (A) and 0% MBE (B). Consultant is a Palm Beach County based company. The Project is included in the PBCWUD FY21 Budget. (PBCWUD Project No. 21-047) District 6 (MJ)
6. Staff recommends motion to receive and file: Change Order (CO) No. 5 for the Lift Station Rehabilitation Project B Bid Package 1 (Project) with Hinterland Group Inc., (Contractor) in the amount of \$0 and for an additional 30 calendar days project time extension. SUMMARY: On April 10, 2018, the Board of County Commissioners (BCC) approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2018-0554) with Contractor. CO No. 1 was approved by PBCWUD in the amount of \$5,509.50 and no time extension. CO No. 2 was approved by PBCWUD in the amount of \$0 and provided for a 30-day time extension. CO No. 3 was approved by the Contract Review Committee (CRC) in the amount of \$67,664.75 and provided for a 60- day time extension. CO No. 4 was approved by the Board of County Commissioners (BCC) in the amount of \$201,293.11 and provided for a 65-day time extension. CO No. 5 was approved by the CRC on October 28, 2020 in the amount of \$0 and provided for a 30-day time extension. CO No. 5 additional time extension was granted as a result of manufacturing and delivery delays and Contractors' personnel taking time off for health issues due to COVID-19. The cumulative time extension including CO Nos. 2, 3, and 5 is 120 days. County PPM CW-F-050 requires BCC notification when the cumulative limit of 120 days has been reached to reset the applicable time limit approvals. The Contract provides for 100% SBE participation. (PBCWUD Project No. 15-096B) Districts 2, 3, 4, 5 & 6 (MJ)

**MAY 18, 2021**

**CONSENT AGENDA**

**3C. ENGINEERING & PUBLIC WORKS**

4. Staff recommends motion to approve: a contract with Stanley Consultants, Inc. (SCI) in the amount of **\$830,478.80 for professional engineering services for the CR 880 and Sam Senter Road over the South Florida Water Management District Ocean Canal Intersection Improvements and Bridge Replacement** (Project). SUMMARY: Approval of this contract will provide the professional services necessary for the preparation of design plans and construction bid documents for the bridge replacement on Sam Senter Road and improvements to the intersection with CR 880. The Affirmative Procurement Initiative selected for this contract on February 6, 2019 by the Goal Setting Committee is a 20% minimum mandatory Small Business Enterprise (SBE) participation. SCI contractually agreed to 20% SBE participation during selection for the contract but surpassed it with 21.21% during negotiation. SCI is a Palm Beach County based company. This Project is included in the Five-Year Road Program and the infrastructure sales tax. District 6 (YBH)

**3G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET**

5. Staff recommends motion to approve: a negotiated settlement offer in the amount of \$6,300 for the full satisfaction of a code enforcement lien that was entered against Joyann Tramuta & Beryl Prianti on April 11, 2017. SUMMARY: The Code Enforcement Special Magistrate (CESM) entered an order on September 9, 2016, for the property owned by Joyann Tramuta & Beryl Prianti providing them until February 4, 2017 to bring their property located at **11265 86th St N., West Palm Beach** into full compliance. The property had been cited for erecting accessory structures, storage buildings, and enclosing garage without obtaining building permits. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$75 per day was imposed. The CESM then entered a claim of lien against Joyann Tramuta & Beryl Prianti on April 11, 2017. The Code Enforcement Division issued an Affidavit of Compliance for the property stating that the cited code violations had been fully corrected as of January 23, 2018. The total accrued lien amount through April 12, 2021, the date on which settlement discussions began, totaled \$31,399.23. Joyann Tramuta has agreed to pay Palm Beach County \$6,300, (20%) for full settlement of their outstanding code enforcement lien. District 6 (SF)

**3M. PARKS & RECREATION**

1. Staff recommends motion to approve: A) an agreement with Digital Vibe, Inc. for the Coordination of Summer Camp at West Jupiter Recreation Center and **South Bay Crossroads Center** effective June 21, 2021 through August 6, 2021; B) an agreement with the YMCA of South Palm Beach County for the Coordination of Summer Camp at West Boynton Recreation Center effective June 21, 2021 through August 6, 2021; and C) an agreement with Faith's Place

Center For Arts Education, Inc. for the Coordination of Summer Camp at Westgate Park and Recreation Center effective June 21, 2021 through August 6, 2021. SUMMARY: The Parks and Recreation Department (Department) wishes to expand its summer day camp programming partnerships to include three not-for-profit agencies. The YMCA of South Palm Beach County will utilize space at West Boynton Park and Recreation Center for up to 100 children. Digital Vibez will utilize space at two Palm Beach County Parks & Recreation facilities and will serve 80 children at West Jupiter Park and Recreation Center and 30 children at South Bay Crossroads Center. Faith's Place will utilize space at Westgate Park and Recreation Center for up to 100 children. Registration will be open to the public and Youth Services Summer Camp scholarship recipients are eligible to attend. These organizations are responsible for all operating expenses and ensuring compliance with CDC guidelines associated with summer day camp programs. In exchange, the County will provide use of the facilities at no charge. Districts 1, 3, 6 & 7 (AH)

**JUNE 8, 2021**

**CONSENT AGENDA**

**3C. ENGINEERING & PUBLIC WORKS**

4. Staff recommends motion to approve: an agreement with **Arden Homeowners Association, Inc.** (Community) for enforcement of the traffic laws of the state to be performed by the Palm Beach County Sheriff's Office (PBSO). SUMMARY: Approval of this agreement will authorize PBSO to provide enforcement of the traffic laws of the state upon the private roadways during normal patrol hours within the Community. District 6 (YBH)

**3G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET**

1. Staff recommends motion to approve: a negotiated settlement offer in the amount of \$20,000 for the full satisfaction of a code enforcement lien that was entered against Mark H. and Tonya M. Pignato on September 4, 2013. SUMMARY: The Code Enforcement Special Magistrate (CESM) entered an order on June 5, 2013 for the property owned by Mark H. and Tonya M. Pignato providing them until July 5, 2013 to bring their property located at **765 Whippoorwill Isle N., West Palm Beach, FL** into full compliance. The property had been cited for livestock in a residential area and erecting/installing roofed, wooden cage type structure without obtaining required building permits. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$50 per day was imposed. The CESM then entered a claim of lien against Mark H. and Tonya M. Pignato on September 4, 2013. The Code Enforcement Division issued an Affidavit of Compliance for the property on February 12, 2021 stating that the cited code violations had been fully corrected as of February 8, 2021. The total accrued lien amount through March 5, 2021, the date on which settlement discussions began, totaled \$164,270.02. Mark H. and Tonya M. Pignato have agreed to pay Palm Beach County \$20,000 (12%) for full settlement of their outstanding Code Enforcement lien. District 6 (SF)

**3K. WATER UTILITIES**

5. Staff recommends motion to approve: A) Work Authorization (WA) No. 8 to the contract for Optimization and Improvements Design-Build (Contract) with Globaltech, Inc., (Globaltech) for the **Water Treatment Plant No. 11 (WTP11) Membrane System Improvements (Project) in the amount of \$4,394,186.94**; and B) a \$4,394,187 budget transfer in the Water Utilities Department Capital Improvement Fund to establish budget for the entire project. SUMMARY: On January 15, 2019, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2019-0099) with Globaltech. WA No. 8 provides for the design and construction of proposed improvements to the membrane systems at WTP11. The proposed improvements will increase redundancy and reliability of the water treatment process. This Contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2002-0064) prior to the adoption of the new Equal Business Opportunity Ordinance on October 16, 2018. The SBE participation goal

established under the 2002 Ordinance was 15% overall participation. The Contract provides for 58% SBE participation which includes 12% M/WBE participation, 10% MBE (H), 1% MBE (B) and 1% MBE (O). WA No. 8 includes 100% SBE participation, which includes 6.16% M/WBE participation, 2.23% MBE (H), 0.46% MBE (B), and 3.46% MBE (O). The cumulative SBE participation including WA No. 8 is 99.26% SBE, which includes 7.82% M/WBE participation, 5.77% MBE (H), 0.35% MBE (B), and 1.69% MBE (O). Globaltech is a Palm Beach County based Company. The Project is included in the PBCWUD FY21 budget. (PBCWUD Project No. 21-039) District 6 (MJ)

## **REGULAR AGENDA**

### **5C. ENGINEERING & PUBLIC WORKS**

- 1. ENGINEERING & PUBLIC WORKS 1.** Staff recommends motion to adopt: a resolution repealing and replacing Exhibit A to the Palm Beach County (County) Five Year Road Program (Program), Ordinance No. R2020-030 (Ordinance). SUMMARY: Palm Beach County Code Chapter 23, Article I, Section 23-1, Five-Year Road Program Ordinance, as amended provides for the Program, setting forth the road projects to be funded, designed and constructed by the County within the next five years. Section (e) of the Ordinance provides that from time to time during each year, the Board of County Commissioners (BCC) by resolution, may shift funding within the Program to promote a more efficient construction of the road projects. There are no deletions, substitutions or additions of entire construction projects in Exhibit A, therefore, neither public hearing nor amendment to the Ordinance is required. The annual update for Fiscal Year 2021 to Fiscal Year 2025 was approved by the BCC on December 22, 2020. Countywide (YBH)

# JUNE 18, 2021

## CONSENT AGENDA

### **3G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET**

1. Staff recommends motion to approve: a negotiated settlement offer in the amount of \$25,000 for the full satisfaction of a code enforcement lien that was entered against Walter F. Lange on February 20, 2009. SUMMARY: The Code Enforcement Special Magistrate (CESM) entered an order on October 1, 2008 for the property owned by Walter F. Lange providing him until November 30, 2008 to bring his property located at **8729 Pinion Dr., Lake Worth, FL** into full compliance. The property had been cited for keeping/allowing chickens/roosters and/or farm animals in a residential zoning district. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$100 per day was imposed. The CESM then entered a claim of lien against Walter F. Lange on February 20, 2009. The Code Enforcement Division issued an Affidavit of Compliance (AOC) for the property on May 4, 2010 stating that the cited code violations had been fully corrected as of April 30, 2010. The total accrued lien amount through December 3, 2020, the date on which settlement discussions began, totaled \$116,051.54, of which Mr. Lange has agreed to pay Palm Beach County \$25,000 (22%) for full settlement of his outstanding Code Enforcement lien. District 6 (SF)

### **3H. FACILITIES DEVELOPMENT & OPERATIONS**

8. Staff recommends motion to approve: Change Order No. 1 to Amendment No. 2 (R2020-1032) to the continuing contract with Asset Builders, LLC dba Messam Construction (R2018-1163) to extend the project duration by 139 additional calendar days for the **Belle Glade Senior Center Roof Replacement project**. SUMMARY: On August 14, 2018, the Board of County Commissioners (Board) approved the continuing construction manager (CM) contract for construction management services for capital improvement projects located in the Glades geographical area, in an amount not exceed \$2,000,000 (after July 1, increased to \$4,000,000 due to changes in the Florida Statutes). The work authorized under Amendment No. 2 consists of the removal and replacement of the existing built-up roofing system with a new modified bitumen, heat welded built-up roofing system. The project was to be completed within 90 days from notice to proceed or until final completion. The CM was issued the Notice to Proceed that established a commencement date of October 1, 2020 for construction phase services with a substantial completion date of December 30, 2020. Subsequently, the original subcontractor (Therma Seal Roof Systems, LLC) to the project left the project and defaulted on their contract with Asset Builders, LLC dba Messam Construction. Change Order No. 1 to Amendment No. 2 authorizes an extension of 139 calendar days to the project duration for a revised substantial completion date of May 18, 2021. Since the subcontractor was unable to perform the work, the CM submitted the request for 139 additional days to solicit bids, establish an agreement with the new subcontractor and to complete the work authorized under Amendment No. 2. The continuing CM contract was presented to the Goal Setting Committee on February 20, 2019 and an Affirmative Procurement Initiative (API) of 20% Small Business Enterprise (SBE) participation was applied to the contract. The CM is a certified



Small/ Minority/Women-Owned Business Enterprise (S/M/WBE). SBE participation on Amendment No. 2 was 34.46%. To date, including Change Order No. 1 to Amendment No. 2, the Construction Manager has achieved 34.46% SBE subcontracting participation for this project. The overall SBE participation on the continuing CM contract is 55.73%. The CM is a Palm Beach County business located in South Bay. (Capital Improvements Division) District 6 (LDC)

### 3K. WATER UTILITIES

3. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 6 to the Consulting/Professional Services Water Treatment and Water Resources Engineering Services Contract (Contract) with CDM Smith Inc., (Consultant) for the Consumptive Use Permit Renewal Support (Project) for a not to exceed amount of \$317,536.60. SUMMARY: On November 17, 2020 the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2020-1719) with Consultant. CSA No. 6 provides for professional engineering services relating to renewal of the Consumptive Use Permit. These services include, data collection, groundwater modeling, meetings, preparing a water conservation plan, and submitting the permit application. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On September 18, 2019, the Goal Setting Committee applied an Affirmative Procurement Initiative (API) of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting goal and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified SBE firms were the API applied to the Contract. The Contract provides for 21% SBE participation which includes 19% M/WBE participation, 19% MBE (B). CSA No. 6 includes 58.84% SBE participation which includes 0% M/WBE participation, 0% MBE (B). The SBE participation including CSA No. 6 is 55.57% SBE, which includes 0% MBE (B). While Consultant is headquartered in Boston, Massachusetts, they maintain an office in Palm Beach County from which the majority of the work under this Project will be performed. This project is included in the PBCWUD FY21 Budget. (PBCWUD Project No. 21-015) Districts 1, 2, 3, 5 & 6 (MJ)

### 3AA. PALM TRAN

1. Staff recommends motion to: A) adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida, approving the **submission of a Section 5311 Formula grant application for \$353,821 to partially offset the operational costs for Routes 40 and 47 in the Glades Region**, as administered by the Florida Department of Transportation (FDOT); and B) authorize the Mayor of the Board of County Commissioners to execute the grant application, supporting documents, and assurances. SUMMARY: FDOT has notified Palm Tran of an allocation of Section 5311 grant funds for mass transit operating assistance in non-urbanized areas. If awarded, the grant will partially offset the operating costs of Palm Tran's fixed route service in the Glades Region of Palm Beach County. The application is for \$353,821 in grant funds, which require a local match of \$353,821 (50% of project) for a total project cost of \$707,642. The Grant match is included in the proposed FY 2022 Budget. The grant application contains an indemnification provision that differs from that adopted for use by the County

under PPM CW-F-049. The grant requires the County, to the extent permitted by law and in accordance with the provisions of Section 768.28, Florida Statutes, to indemnify, defend and hold harmless FDOT and all of its officers, agents and employees from any claim, loss, damage, cost, charge, or expense arising out of the County's non-compliance with the application's assurances, including that of its officers, agents, or employees. An exception to the PPM has been recommended by the Risk Management Department and the County Attorney's Office, taking into consideration the County's need to provide the services, the amount of the grant award, the County's current performance of such services and liability for its acts, and the non-waiver of sovereign immunity beyond the statutory caps of Section 768.28, Florida Statutes. The indemnification obligation must also be passed on to contractors and/or consultants. District 6 (MM)

**JULY 13, 2021**

**CONSENT AGENDA**

**3C. ENGINEERING & PUBLIC WORKS**

2. Staff recommends motion to approve: a Public Facilities Agreement (Agreement) with Minto PBLH, LLC (Minto) and Seminole Improvement District (SID) for the conveyance of 100' of right-of-way, temporary construction easements and road drainage easements for **60th Street North from Little Gator Lane to Seminole Pratt Whitney Road, and from Seminole Pratt Whitney Road to 140th Avenue North** (60th Street ROW). SUMMARY: Approval of this Agreement enables Minto to convey the 60th Street ROW to Palm Beach County (County) in accordance with development order R2014-1646 that was adopted by the County on October 29, 2014. The Minto development was incorporated as the City of Westlake after development order R2014-1646 was adopted by the County. The Agreement allows Minto to convey 100' of right-of-way, temporary construction easements and public road drainage easements, through the development's internal drainage system, to provide legal positive outfall for stormwater runoff from the future extension of 60th Street North. SID is an independent special district responsible for irrigation and drainage of lands owned by Minto, and has easements and facilities within the 60th Street ROW that will require future removal or relocation. District 6 (YBH)

**3H. FACILITIES DEVELOPMENT & OPERATIONS**

11. Staff recommends motion to approve: a Utility Easement Agreement (Easement) in favor of Florida Power & Light (FPL) for underground electrical services and an above ground pad-mounted transformer to service the **Lake Village at the Glades shelter in Pahokee** (Facility). SUMMARY: The Facility is a recently renovated 42-unit apartment complex located at 1749 East Main Street No. 101 in Pahokee. Electrical services to the Facility are currently provided via an overhead power line. In order to provide a more reliable utility service, FPL will install an aboveground pad mounted transformer along with underground electrical services to serve the Facility. Upon installation and energizing of the new services, the existing utility poles/lines will be removed by FPL at no cost to the County. A non-exclusive utility easement will be granted to FPL at no charge, as the electrical improvements will only service the Facility. The easement area is ten feet by 10 feet, containing approximately 100 square feet (0.002 acres). (Property & Real Estate Management) District 6 (HJF)

**3I. HOUSING & ECONOMIC DEVELOPMENT**

2. Staff recommends motion to approve: A) a budget transfer of \$202,600 in the Housing and Community Development Fund; B) **a budget amendment of \$77,600 in the Public Building Fund for the Pahokee Gymnasium Project**; and C) a budget amendment of \$125,000 in the Capital Improvement Fund for the Town of Lake Clarke Shores to recognize the transfer. SUMMARY: On August 25, 2020 the Board of County Commissioners (BCC) approved an allocation of Community Development Block Grant (CDBG) funds for the Town of Lake Clarke Shores to support the installation of a 12-inch potable water main extension on the west side

of Lawrence Road to serve the residences in the unincorporated Seminole Manor Target Area and Maralago Cay Mobile Home Park. Also approved was an additional \$77,600 allocation for the Pahokee Gymnasium Project. Existing CDBG funding of \$750,855 was approved by the BCC on October 9, 2020. The revised total allocation of funding for the Pahokee Gymnasium Project is \$828,455. The Memorandum of Understanding with Palm Beach County Department of Facilities Development and Operations (FDO), the Palm Beach County Water Utilities Department (WUD) and the Department of Housing and Economic Development require that an interdepartmental budget transfer be established to reimburse FDO and WUD for eligible project costs. WUD entered into an inter-local agreement with the Town of Lake Clarke Shores for the construction of the water main project and awarded a construction contract, which was approved on June 15, 2021. The budget transfer and amendments are necessary to appropriate the required funds. These are CDBG funds and require no local match. Districts 3 & 6 (HJF)

### **3K. WATER UTILITIES**

1. Staff recommends motion to approve: Work Authorization (WA) No. 3 to the Continuing Contract for Wastewater Gravity Lines and Manhole Rehabilitation (Contract) with Hinterland Group Inc., (Hinterland) for the Gravity Main and Manhole Rehabilitation (Project) in the amount of \$3,058,844.70. SUMMARY: On February 5, 2019, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2019-0216) with Hinterland. WA No. 3 provides for the rehabilitation of approximately 65,500 linear feet of existing wastewater gravity pipelines of the basins 101, 300, 301, 302, 304, 305, 306, 307, 310, 312, 313, 314, 315, 318, 321, 322, 323, 950, 962, 963, 971, 972, 973, 978, and 994 within the City of West Palm Beach, City of Lake Worth Beach, City of Boynton Beach, City of Delray Beach and the City of Boca Raton. The required work will include cleaning of the wastewater gravity pipelines and manholes, video inspection, and rehabilitation of the pipelines and manholes where necessary. The Contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2002-0064) prior to the adoption of the new Equal Business Opportunity Ordinance on October 16, 2018. The SBE participation goal established by the 2002 SBE Ordinance was 15% overall participation. The Contract provides for 91.84% SBE participation. WA No. 3 includes 100% SBE participation. The cumulative SBE participation including WA No. 3 is 100%. Hinterland is a Palm Beach County based company. The Project is included in the PBCWUD FY21 budget (PBCWUD Project 21-018) Districts 3, 5, & 6 (MJ)

### **3L. ENVIRONMENTAL RESOURCES MANAGEMENT**

3. Staff recommends motion to receive and file: Amendment No. 1 to the State of Florida, Department of Environmental Protection Standard Grant Agreement No. T1803 (Agreement), for **Royal Palm Beach Pines Trail System Project** (Project), in order to revise Attachment 3, the Grant Work Plan, and to extend the Agreement termination from July 1, 2021 to July 1, 2022. SUMMARY: On June 18, 2019, the Board of County Commissioners approved the Agreement (R2019-862) and authorized the County Administrator or designee to sign all future time extensions and minor amendments associated with the Agreement. Amendment No. 1 revises Attachment 3, the Grant Work Plan and extends the Agreement for a one-year

period to begin July 1, 2021, and remain in effect until July 1, 2022. The one-year time extension was needed due to the additional time it took Environmental Resources Management to overcome contracting complications and a limited construction window between March and May during dry season conditions with low water levels in the seasonal wetland. 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 6 (SS)

## **REGULAR AGENDA**

### **6C. HOUSING AND ECONOMIC DEVELOPMENT**

4. Staff recommends motions to approve: revisions to the Job Growth Incentive Fund Program to include: re-naming the program to the Economic Development Incentive Program (EDI), incorporating various criteria for business incentives when provided as a local match to State programs, or stand-alone incentives from the County, and to list parameters for providing the incentive in the form of cash and/or Ad Valorem Tax Exemption. SUMMARY: The Job Growth Incentive Grant Program was approved by the Board of County Commissioners (BCC) on November 16, 1993 (R93-1519), and as subsequently amended (R94-45, R94-198, R95-1104D, R96-302D, R97-1267D). Revisions are necessary to reflect policy changes by the BCC and to streamline various criteria related to the program into one document including the Job Growth Incentive Grant Program, Qualified Target Tax Industry Program, and the Ad Valorem Tax Exemption program. The criteria incorporates modifications to the EDI Agreement template approved by the BCC on April 16, 2019, with input from the Inspector General's Office, Internal Auditor, Office of Financial Management & Budget, the Business Development Board, and the State Department of Economic Opportunity (DEO). Those modifications included: aligning job creation and retention requirements to relevant Florida Statutes and/or DEO Agreement requirements, required median wage of new jobs, a performance security requirement in the form of either a clean, irrevocable Letter of Credit or Cash Bond for the incentive to be awarded. Modifications include: increase timeframe for executing an EDI Program award agreement from 60 to 120 days after conceptual approval by the BCC, to more accurately reflect processing time, to provide special consideration for projects within census tracts in distressed areas including Opportunity Zones and **Rural Areas of Opportunities (Belle Glade, Pahokee, South Bay)** and the EDI Program process from application through disbursement. Countywide (DB)

**AUGUST 17, 2021**

**CONSENT AGENDA**

**3I. HOUSING AND ECONOMIC DEVELOPMENT**

2. Staff recommends motion to receive and file: A) a HOME Loan Agreement with Habitat Housing Solutions, Inc. in the amount of \$315,672; B) a HOME Community Housing Development Organizations (CHDO) Loan Agreement with Community Land Trust of Palm Beach County, Inc. in the amount of \$101,500; and C) a HOME Community Housing Development Organizations (CHDO) Loan Agreement with Habitat Housing Solutions, Inc. in the amount of \$690,000. SUMMARY: The documents have been executed on behalf of the Board of County Commissioners (BCC) by the Mayor, the County Administrator or the Director of the Department of Housing and Economic Development in accordance with Agenda Item 5A-3 and 6D-4, as approved by the BCC on February 11, 2020, and November 17, 2020, respectively. Agenda Item 5A-3 dated February 11, 2020, awarded HOME funds to successful respondents to Request for Proposal HES.2019.1, and Agenda Item 6D4, dated November 17, 2020, awarded HOME/CHDO funds to successful respondents to Request for Proposal HES.2020.1. **The Loan Agreement with Habitat Housing Solutions, Inc., provided \$315,672 in HOME funding towards the construction of three single family homes Pahokee and Belle Glade.** The Loan Agreement for \$101,500 with the Community Land Trust of Palm Beach County, Inc. provided \$92,000 in HOME funding towards the construction of a single family home in Lake Worth and a \$9,500 grant for CHDO operating costs. The Loan Agreement with the Habitat Housing Solutions, Inc., provided \$625,000 in HOME funding towards the construction of five single family homes in Pahokee and South Bay and a \$65,000 grant for CHDO operating costs for a total amount of \$690,000. In accordance with County PPM CWO-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. Districts 3 & 6 (HJF)

**3K. WATER UTILITIES**

3. Staff recommends motion to approve: A) a contract for the Upper Floridan Aquifer (UFA) Well Rehabilitation (Project) with All Webbs Enterprises, Inc. (Contractor) in the amount of **\$1,925,000**; and B) Consultant Services Authorization (CSA) No. 1 to the Consulting/Professional Services Utility Hydrogeologic and Water Resources Engineering Services Contract (Hydro Contract) with JLA Geosciences, Inc., (Consultant) for the Upper Floridan Aquifer Well Rehabilitation Construction Phase Services for a not to exceed amount of \$242,179.72. SUMMARY: On March 24, 2021, the Palm Beach County Water Utilities Department (PBCWUD) received two bids for the Project. **The Project provides for the rehabilitation of eight UFA production wells (TP-2, PW-3, PW-4, PW-6, PW-7, PW-8, PW-10, and PW-11) for PBCWUD Water Treatment Plant (WTP) No. 11, located in Belle Glade.** The Project also includes removal and reinstallation of wellhead and pumping equipment, well video inspection, geophysical logging, performance testing, acid treatment, post-rehabilitation testing, water disposal management, well disinfection and clearance, electrical work, reporting, and an optional cement back-plugging of one well and site restoration at

each well. The Contractor was the lowest responsive and responsible bidder in the amount of \$1,925,000. This Contract was procured under the requirements of the Equal Business Opportunity (EBO) Ordinance. On December 17, 2020, the Goal Setting Committee (GSC) applied an Affirmative Procurement Initiative (API) of a Small Business Enterprise (SBE) Price Preference. The Contractor has met the established API for this Contract. The Contract provides for 95.22% SBE participation. The Contractor is a Palm Beach County based Company. On December 15, 2020, the Board of County Commissioners approved the PBCWUD Hydro Contract (R2020-1893) with Consultant. The Hydro Contract was procured under the requirements of the EBO Ordinance. On October 2, 2019, the GSC applied an API of a minimum mandatory 20% 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 Hydro Contract provides for 73% SBE Participation which includes 3% M/WBE participation, 3% MBE (A). CSA No. 1 provides for construction management services for the Project. CSA No. 1 includes 100% overall SBE participation, which includes 17.3% M/WBE participation, 17.3% MBE (A). The cumulative SBE participation including CSA No. 1 is 100% which includes 17.3% M/WBE participation, 17.3% MBE (A). Consultant is a Palm Beach County based Company. The Project is included in the PBCWUD FY21 budget. (PBCWUD Project No. 20-041) District 6 (MJ)

6. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 3 to the Contract for Consulting/Professional Services Emergency and Disaster Mitigation and Recovery (Contract) with Calvin, Giordano & Associates, Inc. (CGA) for the **Water Treatment Plant (WTP) Nos. 8 and 11 Hurricane Hardening (Project) for a not to exceed amount of \$335,465**. SUMMARY: On June 20, 2017, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2017-0821) with CGA. CSA No. 3 provides for consulting/ professional engineering services and related services for a hurricane hardening evaluation and recommendations at WTP Nos. 8 and 11. This Contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2002-0064) prior to the adoption of the new Equal Business Opportunity Ordinance on October 16, 2018. The SBE participation goal established under the 2002 Ordinance was 15% overall participation. The Contract provides for 41% SBE participation. CSA No. 3 includes 46.48% SBE participation. The cumulative SBE participation including CSA No. 3 is 55.20% SBE participation. While CGA is headquartered in Fort Lauderdale, Florida, they maintain an office in Palm Beach County from which the majority of the work under CSA No. 3 will be undertaken. The Project is included in the PBCWUD FY21 budget (PBCWUD Project No. 21-061) Districts 2, 6 (MJ)
7. Staff recommends motion to approve: contract with Foster Marine Contractors, Inc. (Foster Marine) for the Improvements to **Lift Stations 393, 1023, and 8168 (Project)** in the amount of \$1,297,650. SUMMARY: On March 10, 2021, the Palm Beach County Water Utilities Department (PBCWUD) received three bids for the Project. Foster Marine was determined to be the lowest responsive and responsible bidder. The Project provides for the rehabilitation of three lift stations 393, 1023, and 8168 including new pumps, control panels, upgrade of existing water services lines, temporary bypass pumping, rerouting of gravity main, rerouting of force main, and a new lift station wet well. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On January 20, 2021, the Goal

Setting Committee applied an Affirmative Procurement Initiative (API) of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting participation of which 5% shall be among certified African American and/or Hispanic American owned firms. Foster Marine has met the established API for this Contract. The Contract provides for 21.08% SBE participation, which includes 7.54% M/WBE, 7.54% MBE (H). Foster Marine is a Palm Beach County based company. The Project is included in the PBCWUD FY21 budget. (PBCWUD Project No. 17-064) Districts 2, 5, & 6 (MJ)

8. Staff recommends motion to approve: an Indemnity Agreement between **The Arc of the Glades, Inc.** (Property Owner) and Palm Beach County. SUMMARY: The Property Owner owns a certain parcel located at 4250 State Road 715 in Belle Glade. In order to connect to the County wastewater collection system, the Property Owner proposed a connection to a gravity sewer main located on an adjacent parcel owned by Enrique R. Rionda, Trustee and Cristina M. Rionda, Trustee. The Property Owner has rights to use the facilities pursuant to the Grant of Easement and Maintenance Agreement between Enrique R. Rionda, Trustee, Cristina M. Rionda, Trustee, and The Arc of the Glades, Inc., recorded May 18, 2021 at Official Record Book 32491 Page 1646. County staff approved the proposed connection subject to the Property Owner entering into an Indemnity Agreement with the County. The Grant of Easement and Maintenance Agreement secures continued access to the wastewater gravity main for the Property Owner and ensures the continued maintenance of the gravity main and lift station. This Indemnity Agreement requires the Property Owner to indemnify, defend, and hold the County harmless if the Property Owner is no longer able to utilize the gravity main located on the adjacent parcel. The Indemnity Agreement runs with the land and binds successors to the terms. District 6 (MJ)

## **REGULAR AGENDA**

### **6A. ENVIRONMENTAL RESOURCES MANAGEMENT**

1. Staff recommends motion to receive and file: Amendment Number One (Amendment) to the Florida Department of Transportation (FDOT) Joint Participation Agreement (JPA) (Contract No. AS-881) for **the State Road 7 Construction and Reconstruction Project from Okeechobee Blvd. to Northlake Blvd.** (Project), to extend the JPA for a four-year period beginning on June 30, 2021 and ending on June 30, 2025, unless the Project is completed at an earlier time as evidenced by the written acceptance of FDOT. SUMMARY: The Board approved the JPA on December 19, 2017 (R2017-1952); it was executed by FDOT on January 22, 2018. The JPA was clarified by FDOT on September 21, 2020 and approved by the County Administrator on September 25, 2020. The JPA detailed County and FDOT responsibilities related to the acquisition, preservation and maintenance of high quality wetlands and uplands within the unused portion of the SR 7 right of way to help satisfy Everglade snail kite mitigation requirements for the joint Project. The JPA was originally scheduled to end on June 30, 2021. However, successful completion of the necessary due diligence and required land acquisitions/transfers and conservation easement have taken longer than expected. On April 6, 2021 (R2021-0461), the Board approved a three-step process to complete the remaining requirements of the JPA. Execution of the time extension Amendment by the County Administrator was authorized in Board Agenda Item 5C-1 on December 19, 2017. The



Amendment will allow the County and FDOT sufficient time to complete the remaining due diligence, land acquisition/transfer and conservation easement tasks required by the JPA, as clarified. All other provisions of the JPA, as clarified, remain the same. 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, 2 & 6 (SS)

## **6F. FACILITIES DEVELOPMENT AND OPERATIONS**

- 3.** Staff recommends motion to: A) adopt a resolution authorizing an Amended and Restated Communications Tower Joint Use Agreement with New Cingular Wireless PCS, LLC (AT&T) for its continued use of the County's communication tower site located at **8130 N. Jog Road** in West Palm Beach for a period of five years commencing on August 20, 2021 and no annual rent; and B) approve an Amended and Restated Communications Tower Joint Use Agreement with New Cingular Wireless PCS, LLC (AT&T). SUMMARY: On August 20, 1996, the County entered into a Communications Tower Joint Use agreement (R96-1077D) (Agreement) with BellSouth Mobility who constructed at its sole cost and expense, a 190 foot communications tower and equipment shelter located at 8130 N. Jog Road in West Palm Beach. BellSouth Mobility was later acquired by AT&T, which now operates as New Cingular Wireless PCS, LLC. The Agreement has been amended multiple times to allow for equipment modifications and to exercise extension options. In 2007, AT&T transferred ownership of the tower to the County. The Agreement is set to expire on August 19, 2021. This Amended and Restated Communications Tower Joint Use Agreement extends the term for five years with four additional five-year options, updates all County standard provisions, provides for the County Radio Administrator to approve alterations to antenna equipment, and requires AT&T to continue to be responsible, at its sole cost and expense, for maintenance of the tower and equipment shelter. The agreement will continue to be administered by Facilities Development and Operations. (Property & Real Estate Management) District 6 (HJF)

# SEPTEMBER 14, 2021

## CONSENT AGENDA

### 3C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to receive and file: A) Supplemental Agreement Number 3 to the State-Funded Grant agreement, R2018- 0364, with the Florida Department of Transportation (FDOT) for the **design of improvements at State Road 7 at Weisman Way**, extending the expiration date of the agreement from June 30, 2021 to December 31, 2021; and B) Amendment Number 4 to the County Incentive Grant Program (CIGP) agreement, R2016-0609, with FDOT for the right of way acquisition for Congress Avenue extension from Northlake Boulevard to Alternate A-1-A, extending the expiration date of the agreement from June 30, 2021 to December 31, 2021. 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 Supplemental Agreement Number 3 on June 17, 2021 and CIGP Amendment Number 4 on May 12, 2021. Districts 1 & 6 (YBH)
5. Staff recommends motion to approve: an interlocal agreement (Agreement) with the City of Palm Beach Gardens (City) providing for traffic control jurisdiction within the City by the County and terms pertaining to the installation of a **traffic signal at the intersection of Northlake Boulevard and Bay Hill Drive/Ancient Tree Drive** (Bay Hill Drive Traffic Signal). SUMMARY: Section 316.006(2)(a) vests municipalities with traffic control jurisdiction over all streets and highways located within their boundaries, except state roads, and provides that a municipality may, by interlocal agreement with a county, agree to transfer traffic regulatory authority (Authority) over areas within the municipality to the county. The City now agrees to transfer, and the County agrees to accept, Authority over all County maintained thoroughfare roadways within the City's municipal boundaries, as may be amended. This Agreement will repeal and replace R1977-988. The Agreement also memorializes the conditions upon which the County has agreed to issue the Right-of-Way (ROW) Permit for the complete installation of the Bay Hill Drive Traffic Signal. Districts 1 & 6 (YBH)

### 3E. COMMUNITY SERVICES

5. Staff recommends motion to: A) ratify the signature of the Mayor on the Grant Year (GY) 2021 Florida Department of Education (FDOE) Project Application, for the period July 1, 2021 through June 30, 2022, in an estimated amount not-to-exceed \$227,349 for the Farmworker Career Development Program (FWCDP) under Title I, Section 167 of the Workforce Innovation and Opportunity Act, to provide education and supportive services to farmworkers and their dependents; B) receive and file Project Award Notification No. 760-4052B-2CFJ1 from the FDOE, for the program period July 1, 2021 through September 30, 2022, in the amount of \$130,000 for the FWCDP GY 2021 funding, to provide career counseling, vocational training, job placement assistance and support services to eligible migrant/seasonal farmworkers and their dependents; C) receive and file Amendment No. 1 to Project Award Notification No. 760-4051B1CFJ1 from the FDOE, to extend the program period from June 30, 2021 to September

30, 2021; D) receive and file Amendment No. 2 to Project Award Notification No. 760-4051B1CFJ1 from the FDOE, for the program period July 1, 2020 through September 30, 2021, to decrease funding award in the amount of \$52,017 in GY 2020, for a new not to-exceed amount of \$175,332; and E) approve a budget amendment in the amount of \$21,697 in FY 2021 in the FWCDP fund to align the budget to the actual grant award. SUMMARY: The FWCDP received instructions to submit the GY 2021 grant application. The FWCDP provides vocational training, educational and support services to migrant/seasonal farmworkers and their dependents to obtain economic self-sufficiency through permanent and stable employment outside of farm work. The FWCDP has served residents for over 40 years in Palm Beach County with an **emphasis in the Tri-City Glades, as well as the City of Clewiston in Hendry County, as the migrant seasonal farmworker population** is often in transit from one county to another due to seasonal crops. Project Award Notification No. 760-4052B-2CFJ1 for GY 2021 was received on August 5, 2021 from the FDOE issuing a grant award of \$130,000. Under the new grant, FWCDP will serve approximately 50 program participants with training and support services. In GY 2017-2019, the FWCDP served a total of 162 clients enrolled in the support services and training programs, with 55 clients obtaining permanent employment in the medical, commercial truck driving, security and construction fields. In GY 2020, 36% of participants obtained permanent jobs outside of farm work. Amendment No. 1 to Project Award Notification 760-4051B1CFJ1, for the budget period July 1, 2020 through September 30, 2021, extended the end date and Amendment No. 2 decreased the total grant award for GY 2020 by \$52,017 for a new total grant award of \$175,332. The GY 2020 FDOE Project Application (R2020- 1665) was approved by the Board of County Commissioners (BCC) on November 17, 2020. The decrease in the GY 2020 award is due to the inability to provide vocational training opportunities due to school closings during the COVID-19 pandemic. The FDOE reallocated funding to areas with a larger number of farmworkers who would benefit from the program. The emergency signature process was utilized because there was not sufficient time to submit the application through the regular BCC agenda process. 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 funds are required. (Farmworker Career Development Program) Countywide (HH)

### **3H. FACILITIES DEVELOPMENT & OPERATIONS**

1. Staff recommends motion to adopt: a resolution requesting an assignment of lease from the Florida Department of Environmental Protection (FDEP), Division of State Lands (State Lands), for the state-owned real property located at 1837 and **1839 East Main Street in the City of Pahokee**. SUMMARY: The State of Florida owns approximately 1.72 acres of improved real property located on the west side of East Main Street/State Road 715 in the City of Pahokee. The property is improved with an approximately 3,600 square foot single story building, 31 vehicular parking spaces, an approximately 320-foot tall communication tower, and other various site improvements. The existing building was most recently occupied by the Florida Department of Health Palm Beach County (FDOH PBC) as a community clinic. The clinic is no longer in active operation and FDOH PBC desires to assign its existing lease of the property with State Lands to Palm Beach County for its use and management of the facility for local service needs. Prior to assigning a leasehold interest to the County, State Lands requires a

resolution of the Board of County Commissioners requesting the proposed assignment of the lease. Adoption of this resolution will thereafter fulfill an application requirement for the County to formally pursue a lease of the property from State Lands. There is no cost to the County to make application to State Lands requesting the proposed lease, and the formal assignment shall be subject to final approval by the County. (FDO Admin) District 6 (MWJ)

### 3I. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to receive and file: the following Amendments to Agreements for projects funded under the Community Development Block Grant (CDBG) Program: A) Amendment 002 to Agreement R2019-1762 with the Village of Palm Springs extending the project completion date from January 31, 2021 to July 15, 2021; and B) **Amendment 007 to Agreement R2016-0567 with the City of South Bay extending the project completion date from June 30, 2020 to August 31, 2021.** SUMMARY: The aforementioned 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 5C-5, as approved by the BCC on July 10, 2018 and Agenda Item 3I-4, as approved by the BCC on December 5, 2017. Amendment 002 to the Agreement (R2019-1762) with the Village of Palm Springs extends the project completion date from January 31, 2021 to July 15, 2021 for the sidewalk improvement project along the south side of Alameda Drive. The Village of Palm Springs requested the amendment in order to allow for the submittal of all paperwork required and to complete the final pay application, which was delayed by the pandemic. Amendment 007 to the Agreement (R2016-0567) with the City of South Bay extends the project completion date for improvements from June 30, 2020 to August 31, 2021 to Cox Park and Tanner Park. The City of South Bay requested an extension to complete the punch list items and allow full payment of all services rendered, which was delayed due to the pandemic. 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. Districts 3 & 6 (HJF)
6. Staff recommends motion to approve: a Partial Release of Amended and Restated Declaration of Restrictions and Conditional Grant Agreement for **Amelia Estates, LLC (AELLC)**. SUMMARY: On April 21, 2009 the Board of County Commissioners (BCC) entered into a Conditional Grant Agreement (R2009-0656) with Amelia Estates, LLC (AELLC) to provide \$800,000 in funding toward the development of 30 affordable rental units located on SW 16th Street, one block south of Dr. Martin Luther King Jr. Boulevard West in Belle Glade. On June 2, 2015, the BCC approved a Conditional Grant Agreement (R2015-0746), reducing grant funds to \$650,000. AELLC built the apartments along with 12 townhome units and is now ready to proceed with construction on the remaining undeveloped portion of the property. In order to secure financing for the next phase of the project, AELLC has requested that the Amended and Restated Declaration of Restrictions be released from the undeveloped area. If approved, the restrictions contained within the Amended and Restated Declaration of Restrictions will remain on the developed portion of the property and the requirements not be affected. District 6 (HJF)

### 3K. WATER UTILITIES

1. Staff recommends motion to receive and file: five executed Standard Potable Water and Wastewater Development Agreements and four Standard Potable Water and Wastewater Development Renewal Agreements for the months of March, April and May 2021. A) Standard Potable Water and Wastewater Development Agreement with Palm Beach Christian Preparatory School Inc., SDA #02-01164-000 (District 3), Recorded in OR BK 32413 PG 1954; B) Standard Potable Water and Wastewater Development Agreement with Principal Development Group, LLC, SDA #03-01052-000 (District 5), Recorded in OR BK 32366 PG 0166; C) Standard Potable Water and Wastewater Development Agreement with **101 Sansburys Way LLC**, SDA #01-01271-000 (District 6) Recorded in OR BK 32413 PG 1973; D) Standard Potable Water and Wastewater Development Agreement with Southern and Jog Apartments, LLC, SDA #01-01272-000 (District 2), Recorded in OR BK 32468 PG 0124; E) Standard Potable Water and Wastewater Development Agreement with Melrose Center Boynton LLC, SDA #05-01129-000 (District 5), Recorded in OR BK 32535 PG 0939; F) Standard Potable Water and Wastewater Development Renewal Agreement with **Divosta Homes, L.P., SDRA #02-01146-001** (District 6), Recorded in OR BK 32440 PG 0994; G) Standard Potable Water and Wastewater Development Renewal Agreement with **Divosta Homes, L.P., SDRA #02-01146-002** (District 6), Recorded in OR BK 32413 PG 1968; H) Standard Potable Water and Wastewater Development Renewal Agreement with Pulte Home Company, LLC, SDRA #09-01076-000 (District 5), Recorded in OR BK 32509 PG 0300; and I) Standard Potable Water and Wastewater Development Renewal Agreement with LandAmerica Holdings & Investments Group, LLC, SDRA #01-01239-000 (District 2), Recorded in OR BK 32509 PG 0294. 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, 5 & 6 (MJ)

### **3L. ENVIRONMENTAL RESOURCES MANAGEMENT**

8. Staff recommends motion to receive and file: Assignment of Declaration of Restrictive Covenants by Palm Beach County, a political subdivision of the State of Florida (Assignor) to the **Town of Loxahatchee Groves**, a municipal corporation in the State of Florida (Assignee) recorded July 2, 2021 Official Records of Palm Beach County at Book 32649 and Page 0545. SUMMARY: On August 14, 2012, the Board of County Commissioners approved the Resolution (R2012-1120) which authorized the County Administrator or designee to execute a standard form Assignment of Declaration of Restrictive Covenants to the Town of Loxahatchee Groves. The form assigns the Declaration of Restrictive Covenants originally executed on November 23, 2005 and recorded in Official Records Book of Palm Beach County, Florida at Book 19585 and Page 0697. 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 6

### **3CC. SHERIFF**

3. Staff recommends motion to approve: a budget transfer of \$419,355 from the Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office (PBSO). SUMMARY: Section 932.7055(5), Florida Statutes; provides that the seizing agency shall use Forfeiture proceeds for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes, which include defraying the cost of protracted or complex investigations, providing additional equipment or expertise, purchasing automated external defibrillators, and providing matching grant funds. Section 932.7055(5), Florida Statutes; also requires that no less than 25% of the LETf's previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2021 donation requirement is \$152,405. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The year-to-date transfer for all donations to outside organizations after approval of this item is \$1,670,900. The funds requested are to aid PBSO and qualified organizations that meet the requirements set forth in Section 932.7055(5), Florida Statutes. Use of LETf requires approval by the Board, upon request of the Sheriff. The current State LETf balance is \$1,772,474. Approval of this request will reduce the State LETf balance to \$1,353,119. The PBSO certifies that the use of these funds is in accordance with Section 932.7055(5), Florida Statutes. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective organization or agency. No new positions are needed and no additional County funds are required. Countywide (LDC)
- Boys & Girls Clubs of Palm Beach County, Inc. (Belle Glade) \$20,000**  
**Boys & Girls Clubs of Palm Beach County, Inc. (Wellington) \$7,500**

### **SPECIAL PRESENTATIONS/COMMISSIONER COMMENTS**

- A. Proclamation declaring September 14, 2021 as **Lomax Harrelle Appreciation Day** in Palm Beach County (District 6)
- B. Request for off-site Proclamation recognizing the **80th Anniversary of the City of South Bay**

**OCTOBER 5, 2021**

**CONSENT AGENDA**

**3K. WATER UTILITIES**

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

**3DD. OFFICE OF COMMUNITY REVITALIZATION**

2. Staff recommends motion to approve: A) expenditure of \$42,000 for the installation of 10 speed humps in the Cannongate-Southwoods Countywide Community Revitalization Team (CCRT) area; B) expenditure of \$4,200 for the installation of 1 speed hump in the San Castle CCRT area; C) expenditure of \$4,200 for the installation of 1 speed hump in the Plantation Area CCRT area; and D) a budget transfer of \$50,400 to the Capital Outlay Fund from the CCRT Recoup Funding Account for \$42,000 for the Cannongate-Southwoods Speed Humps Installation Project; \$4,200 for the San Castle Speed Humps Installation Project; and \$4,200 for the Plantation Area Speed Humps Installation Project. SUMMARY: The installation of speed humps was requested by neighborhood residents from the San Castle and the Plantation Area CCRT areas and by the Home Owners Association (HOA) and neighborhood residents from the CannongateSouthwoods CCRT area to address the need to slow down vehicular traffic and improve safety along non-thoroughfare County roadways. Approval of the requested funds and the associated budget transfer will fund the construction of a total of 12 speed humps. County policy requires that 60% of affected property owners for each street sign a petition in support of the project. If the requesting community is represented by

a HOA, the HOA may submit a signed resolution on behalf of the owners of each relevant fronting property representing support for speed hump installation. The supporting petitions for the San Castle and Plantation projects, as well as a completed and signed HOA resolution on behalf of the Cannongate-Southwoods project have been received, reviewed, and approved by Traffic Engineering. Staff is recommending approval of the projects. Districts 2, 6 & 7 (HH)

## **REGULAR AGENDA**

### **5E. ADMINISTRATION**

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



**OCTOBER 19, 2021**

**CONSENT AGENDA**

**3C. ENGINEERING & PUBLIC WORKS**

2. Staff recommends motion to adopt: forty-five resolutions to initiate eminent domain proceedings by declaring the acquisition of properties designated as parcels 101, 102, 103, and 104 as right-of-way easements, parcel 218 as an embankment easement, parcels 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 219, 221, 222, 223, 225, 226, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 243, 244, 246, 247, 248, 249, and 250 as permanent easements, and parcels 301, 305, 321, 330, 331, 332, 343, 345, and 350 as temporary construction easements necessary for the construction of roadway improvements on **Royal Palm Beach Boulevard from the M Canal to south of Orange Boulevard** (Project). SUMMARY: Adoption of these resolutions will initiate eminent domain proceedings pursuant to Chapters 73, 74, 127, and Section 337.27(1), Florida Statutes, as amended, against 57 parcels having a total appraised value of \$1,004,430. To date, the property owners have not accepted the offers to purchase made by Palm Beach County and attempts to negotiate the purchases have been unsuccessful. The parcels are necessary for the reconstruction of Royal Palm Beach Boulevard from a two lane undivided roadway to a five lane undivided roadway. The Project also includes the installation of drainage, shoulders/bike lanes, and sidewalks. Eminent domain proceedings are necessary to acquire the parcels at this time in order to expedite construction of the Project. This project is scheduled for FY22 at a budgeted amount of \$6 million. This Project is included in the Five Year Road Program. District 6 (DO)
4. Staff recommends motion to approve: a contract with Ranger Construction Industries, Inc. (Ranger) in the amount of **\$17,999,999 for the construction of Seminole Pratt Whitney Road from Orange Boulevard to south of Northlake Boulevard and Seminole Pratt Whitney Road and Northlake Boulevard Intersection Improvements** (Project). SUMMARY: Approval of this contract will authorize the construction services necessary to widen and reconstruct the roadway, install water utilities, drainage, bike lanes and sidewalks for the Project. The Affirmative Procurement Initiative selected for this contract on March 4, 2020 by the Goal Setting Committee is a 20% minimum mandatory Small Business Enterprise (SBE) participation. The awarding of this contract was protested twice. Ranger was the lowest responsive bidder remaining after the protest period that agreed to an extension of the execution deadline for the contract. Ranger agreed to 20.2% SBE participation. Ranger is a Palm Beach County based company. The contract time for the Project is 900 calendar days. This Project is included in the Five-Year Road Program. District 6 (YBH)

**3E. COMMUNITY SERVICES**

4. Staff recommends motion to approve: A) the Homeless Resource Center (HRC) Contracts for the Provision of Services with the below-listed agencies, for the two year period October 1, 2021 through September 30, 2023, in an amount totaling \$8,594,024, of which \$4,297,012 is budgeted for FY 2022, with an anticipated annual allocation of \$4,297,012 in FY 2023, contingent upon a budgetary appropriation by the Board of County Commissioners (BCC) for

the term of these contracts: 1. Gulfstream Goodwill Industries, Inc. (GGI), for the provision of engagement, interim housing and rapid re-housing, and navigation services to homeless individuals, in an amount not-to-exceed \$4,600,488, of which \$2,300,244 is budgeted in FY 2022, with an anticipated annual allocation of \$2,300,244 in FY 2023; 2. Adopt-A-Family of the Palm Beaches, Inc. (AAF), for the provision of engagement, interim housing and rapid re-housing, and navigation services of homeless families in an amount not-to-exceed \$3,564,074, of which \$1,782,037 is budgeted in FY 2022, with an anticipated annual allocation of \$1,782,037 in FY 2023; and 3. The Lord's Place, Inc. (TLP), for the provision of employment counseling services to homeless individuals and families, in an amount not-to-exceed \$429,462, of which \$214,731 is budgeted in FY 2022, with an anticipated annual allocation of \$214,731 to be budgeted in FY 2023. B) Amendment No. 1 to contract for Provision of Services with GGI (R2020-1430), for the period November 15, 2021 through November 14, 2023, to update the contract terms to include automatic renewals for FY 2022 and FY 2023, to ensure continuation of services and shelter for COVID-19 impacted individuals and families in the western communities, with no change to the total contract amount of \$1,795,701.

**SUMMARY:** The contracted agencies listed will provide a variety of supportive services to persons, individuals and families experiencing homelessness, that include case management, navigation, employment counseling, engagement, interim housing, rapid re-housing, and permanent supportive housing. In FY 2020, GGI served 283 individuals, and expended 100% of the funds on HRC operation, administration, and leasing expenses. GGI will serve approximately 285 individuals under this contract. In FY 2020, AAF served 183 households (537 clients), and expended 100% of the funds on HRC operation, administration, family reunification, leasing/utility expenses, mobilization, and hotel and motel assistance services. AAF will serve approximately 185 households under this contract. In FY 2020, TLP served 129 individual and assisted 26 of the individuals in securing employment, as well as expending 89% of the funds on job training/life skills, job placement services, and administrative expenses. TLP will serve approximately 113 individuals under this contract. The reduction in the estimated number of individuals served is due to the increase of cost per client from FY 2020 to FY 2022. The cost of personnel has increased, as well as housing costs, which in turn increases the cost per client. **Amendment No. 1 with GGI is necessary to update the original contract terms to include language regarding automatic renewal terms for FY 2022 and FY 2023. On June 2, 2020, the BCC approved two County owned properties to provide for noncongregate sheltering in the western communities, where the need for isolation of high-risk individuals and households, due to the COVID-19 pandemic, was evident. GGI was selected to operate both the Belle Glade Assessment Center and the Pahokee Non-Congregate Sheltering sites, providing supportive housing for a maximum of 36 shelter beds and 58 supportive housing beds. Though a full year of service has not occurred, GGI is expected to serve up to 48 seniors or individuals, and 24 households per year (a minimum of 96 persons annually). Services offered include on-site supportive services, counseling, meal delivery, limited medical treatment, case management, life skills, job placement, and interim and permanent housing placement. Tyrina Pinkney is an employee of TLP and is a member of the Palm Beach County HIV CARE Council. This board provides no regulation, oversight, management, or policy-setting recommendations regarding the agency listed above. Disclosure of this contractual relationship at a duly noticed public meeting is being provided,**

in accordance with the provision of Section 2-443, of the Palm Beach County Code of Ethics. (Human Services) Countywide (HH)

### 3I. HOUSING AND ECONOMIC DEVELOPMENT

2. Staff recommends motion to receive and file: eleven agreements under the Fiscal Year 2021-2022 Community Development Block Grant (CDBG) Program: A) Aid to Victims of Domestic Abuse, Inc. in the amount of \$25,907 for transitional housing and supportive services; B) The Children's Place at Home Safe, Inc. in the amount of \$18,796 for specialized and enhanced therapeutic care for abused teens; C) The Coalition for Independent Living Options, Inc. in the amount of \$23,367 for prepared meals to disabled individuals; D) Healthy Mothers/Healthy Babies Coalition of Palm Beach County, Inc. in the amount of \$11,176 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; E) Legal Aid Society of Palm Beach County, Inc. in the amount of \$58,621 for fair housing education, outreach, advocacy and enforcement activities; F) Place of Hope, Inc. in the amount of \$16,763 for housing and case management services to abused children; G) **Redlands Christian Migrant Association, Inc. in the amount of \$15,239 for child care and development services in the Glades area**; H) Seagull Industries for the Disabled, Inc. in the amount of \$30,783 for vocational training and supervision for disabled adults; I) Sickel Cell Foundation of Palm Beach County, Inc. in the amount of \$18,795 for comprehensive case management services; J) Urban League of Palm Beach County, Inc. in the amount of \$19,811 for foreclosure mitigation counseling, homebuyer education classes, and pre-purchase homebuyer counseling services; and K) Vita Nova, Inc. in the amount of \$14,731 for supportive housing and life skills training for youths who have aged out of foster care. SUMMARY: The 11 agreements 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 Resolution R2021-0948 as approved by the BCC on July 13, 2021. Agencies have been notified that the public service selections will be conducted via a competitive process for FY 2022-2023. On July 13, 2021, via Agenda Item 6C-1, the BCC approved the Palm Beach County Action Plan for Fiscal Year 2021-2022, which included \$253,989 in CDBG funds allocated to 11 non-profit agencies to provide various public services. Employees from two agencies that were awarded CDBG funds serve on a County-related advisory group. Kimberly RommelEnright, an employee of the Legal Aid Society of Palm Beach County, Inc., serves on the HIV CARE Council, a County Advisory Board. Patrick J. Franklin, an employee of the Urban League of Palm Beach County, Inc., serves on the Infrastructure Surtax Independent Citizen Oversight Committee and the Housing Finance Authority. These boards provide no regulatory oversight, management, or policy-setting recommendations regarding their agency contracts. Disclosure of these contractual relationships 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. Staff recommends motion to receive and file: an agreement with the Center for Technology, Enterprise and Development, Inc. (TED Center) for \$250,000 under the Fiscal Year 2021-2022

Community Development Block Grant (CDBG) Program. SUMMARY: The document has been executed on behalf of the BCC by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 6C-1 as approved by the BCC on July 13, 2021. The agreement with TED Center provides \$250,000 in Fiscal Year 2021-2022 CDBG funds to assist with operational expenses for the development and expansion of small businesses and microenterprises (defined as “commercial enterprises” that have five or fewer employees). **The TED Center is required to create a minimum of 17 full-time equivalent jobs countywide, with a minimum of 4 of the newly created jobs being held by persons residing in the Glades area.** 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. The TED Center, a non-profit organization, is a business incubator with associated programs and services designed to improve the viability and strength of microenterprises and small businesses. 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 TED Center is currently on target to meet 2019/2020 Contract deliverables. These are Federal CDBG funds which do not require a local match. Countywide (DB)

4. Staff recommends motion to receive and file: the following agreements for code enforcement services funded under the Fiscal Year 2020/2021 and Fiscal Year 2021/2022 Community Development Block Grant (CDBG) Programs: A) **Agreement with the City of Belle Glade for \$205,342** B) **Agreement with the City of Pahokee for \$52,014** C) **Agreement with the City of South Bay for \$36,290**; and D) Agreement with the City of Riviera Beach for \$537,297. SUMMARY: The documents have been executed on behalf of the BCC by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 6C-1, as approved by the BCC on July 13, 2021. The agreement with the City of Belle Glade provides \$205,342 in FY 2021/2022 CDBG funds toward the salary and benefits of three full-time Code Compliance Officers plus vehicle and computer related expenses. The agreement with the City of Pahokee provides \$52,014 in FY 2021/2022 CDBG funds toward the salary and benefits of one full-time Code Compliance Officer. The agreement with the City of South Bay provides \$36,290 in FY 2021/2022 CDBG funds toward the salary of one full-time Code Compliance Officer. The agreement with the City of Riviera Beach extends over a two-year period and provides \$537,297 in CDBG funds from FY 2020/21 (\$340,334) and FY 2021/2022 (\$196,963) toward the salaries, benefits and related electronic equipment of four full-time Code Enforcement Officers, one part time Code Enforcement Officer and one Field Supervisor. 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. Districts 6 & 7 (HJF)
9. Staff recommends motion to receive and file: the following agreements funded under Fiscal Year 2018/2019 as amended, and Fiscal Year 2020/2021 Community Development Block Grant (CDBG) Program: A) Agreement with the City of Riviera Beach in the amount of \$100,000 for the development of an Urban Agricultural Farm; B) Agreement with the City of Riviera Beach in the amount of \$118,000 for the installation of high-speed internet/Wi-Fi access and connectivity to five of the City’s Public Parks; and C) **Agreement with the City of Belle Glade in the amount of \$36,375** for repairs and improvements at the Lawrence E. Will

Museum. SUMMARY: The documents have been executed on behalf of the BCC by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 5C-5 (R2018-1061) as approved by the BCC on July 10, 2018, as amended and Agenda Item 6D-1 (R2020-0926), as approved by the BCC on July 14, 2020. The agreement with the City of Riviera Beach will provide CDBG funds for the development of an Urban Farm to cultivate agricultural organic foods and provide funds for one supervisor to oversee development and daily activities. The agreement with the City of Riviera Beach will provide CDBG funds for installation of high-speed internet/Wi-Fi access and connectivity for a period of three years, to five Public Parks: Cunningham Park, Dan Calloway Park, Farrington Park, Sadie McCray Park and Goodman Park within the City of Riviera Beach. The agreement with the City of Belle Glade will provide CDBG funds for roof repairs, new waterlines and/or interior improvements at the Lawrence E. Will Museum. These are Federal CDBG funds which do not require a local match. Districts 6 & 7 (HJF)

### **3K. WATER UTILITIES**

2. Staff recommends motion to approve: Change Order (CO) No. 4 with Florida Design Drilling Corporation (FDD) for the **Water Treatment Plant No. 11 (WTP11) High Service Pump Station Electrical Building Improvements (Project) in the amount of \$61,493.81** and for an additional 180 calendar days of project time extension. SUMMARY: On September 10, 2019, the Board of County Commissioners (BCC) approved the Palm Beach County Water Utilities (PBCWUD) Contract for the WTP11 High Service Pump Station Electrical Building Improvements Project (R2019-1372) in the amount of \$3,590,000.00. The Contract provides for construction of a new flood-resilient high service pump station electrical building and the installation of process analyzers to improve monitoring and control of the water treatment process at WTP11. CO No. 4 provides for modifications to the fire alarm and fire suppression systems, settlement of a delay claim, and a credit for thermographic survey of the electrical equipment that was removed from the Contract. CO No. 4 will increase the Contract by \$61,493.81 and extend the Contract time by 180 days. CO No. 4 exceeds the approval limits in County PPM CW-F-050 and requires BCC approval. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On May 1, 2019, the Goal Setting Committee applied an Affirmative Procurement Initiative of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting goal. The contract with FDD provides for 47.6% SBE participation, which includes 1.06% M/WBE, 0.76% MBE (H), and 0.3% WBE. CO No. 4 includes 47.21% SBE participation, which includes 1.03% MBE, 1.03% MBE (H). The cumulative SBE participation including CO No. 4 is 45.71%, which includes 1.09% M/WBE participation, 0.72% MBE (H), and 0.36% WBE. FDD is a Palm Beach County based company. The Project is included in the PBCWUD FY22 budget. (PBCWUD Project No. 18-005) District 6 (MJ)

### **REGULAR AGENDA**

#### **6A. AIRPORTS**

3. Staff recommends motion to approve: A) a contract with Ranger Construction Industries, Inc. (Ranger) in the amount of **\$2,477,555.83 and 190 Calendar Days for the Runway and Taxiway Rehabilitation at Palm Beach County Glades (Pahokee) Airport**; and B) a budget transfer in

the amount of \$1,020,000 in the Airport's Improvement and Development Fund, including a transfer from Reserves of \$1,020,000. Item is partially in the current budget. SUMMARY: This project was advertised utilizing the County's competitive bid process. On June 24, 2021, three bids were received for the Runway and Taxiway Rehabilitation at Pahokee Airport. Ranger, a Palm Beach County, Florida company has been identified as the lowest responsible/responsive bidder in the amount of \$2,477,555.83. This project provides for the rehabilitation of Runway 18-36, along with several additional enhancements to the airfield paved surfaces. A Disadvantaged Business Enterprise (DBE) goal of 16% was established for this project. Ranger has committed to meet the DBE goal of 16%. 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)

**NOVEMBER 2, 2021**

**CONSENT AGENDA**

**3H. FACILITIES DEVELOPMENT & OPERATIONS**

5. Staff recommends motion to approve: Work Order No. 21-017 to the annual Heating, Ventilation and Air Conditioning (HVAC) contract with Cedars ElectroMechanical, Inc. (R2020-0019) in the amount of **\$290,375 for the West Detention Center (WDC) Building M** (Admin) – HVAC Replacement project for a period of 60 calendar days from permit issuance. SUMMARY: The work consists of furnishing the labor, equipment and materials needed to remove and replace the two existing air handler units and install two new air handler units and three new condensing units. The existing equipment is 24 years old, corroded, costly to maintain, and has outlived its useful life. The new HVAC system 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 60 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. This work order was solicited pursuant to the annual HVAC contract and the requirements of the Equal Business Opportunity Ordinance. The annual contract was last presented to the Goal Setting Committee on August 21, 2019 and the Committee established Affirmative Procurement Initiatives (API) of sheltered market for projects under \$100,000 (when at least three Small Business Enterprises (SBE) are qualified under the annual contract) or an SBE contractor will be given a price preference if its bid is within 10% of the lowest non-SBE bid for projects \$100,000 or greater. Since this project was over \$100,000, the SBE price preference API was applied. Cedars Electro-Mechanical, Inc. is a certified SBE and has committed to 99.57% SBE subcontracting participation on this work order. Cumulative SBE participation on the annual HVAC contract is 36.85%. Funding for this project is from the Public Building Improvement fund. (Capital Improvements Division) District 6 (LDC)
7. Staff recommends motion to approve: a first amendment to Drainage Easement which allows Palm Beach County to withdraw water from a lake located on property owned by Palm Beach West Associate I, LLLP for the irrigation of **County Pines Park** (Park). SUMMARY: The Park is located in the northwest Loxahatchee area on the south side of Hamlin Boulevard, west of 180th Avenue. In 2005, during development of the Park, Indian Trail Groves, LP (Indian Trail) granted Palm Beach County (County) a non-exclusive drainage easement (Original Easement) as recorded on March 17, 2005, in Official Record Book 18272, Page 1736, in the Public Records of Palm Beach County. The Original Easement allows for the discharge of storm water drainage from the Park property to a lake located on adjacent property (Permanent Easement Premises), which at the time, was owned by Indian Trail. Palm Beach West Associate I, LLLP (GL Homes) currently owns the Permanent Easement Premises. The County has two on-site irrigation wells that were installed during the initial development of the Park that provided water to irrigate the Park property. One well has failed due to collapse of the well walls and the second well is currently pumping brackish water. Repair of the failed well is not a viable option as the well was also beginning to ingest brackish water prior to failure. The County's

Parks and Recreation Department (Parks) has requested that GL Homes allow the County to withdraw water from said lake to irrigate the Park property. This first amendment will allow the County's use of the lake for irrigation purposes and will give GL Homes the right to temporarily suspend withdrawals, or permanently terminate the County's right to further withdraw with 60 days written notice to the County. In the event the Agreement is terminated the Original Easement will remain in place and the County will seek alternative surface water supply sources adjacent to the park. The County has been withdrawing water from the lake since 2017 without any issues and does not anticipate any future interruptions. (Property & Real Estate Management) District 6 (HJF)

### 3K. WATER UTILITIES

1. Staff recommends motion to receive and file: three executed Standard Potable Water and Wastewater Development Agreements, a Standard Reclaimed Water Service Agreement Lake Discharge System, a Standard Reclaimed Water Service Agreement Direct System, a Standard Reclaimed Water Development Agreement, and a Standard Potable Water and Wastewater Development Renewal Agreement for the months of March, May and June 2021. A) **Standard Potable Water and Wastewater Development Agreement with Highland Dunes Associates Property LLC, SDA #11-01018-000** (District 6), Recorded in OR BK 32580 PG 0326. B) Standard Potable Water and Wastewater Development Agreement with Melrose Center Boynton LLC, SDA #05-01129-000 (District 5), Recorded in OR BK 32535 PG 0939. C) Standard Potable Water and Wastewater Development Agreement with SHP VI/Holden Delray LLC, SDA #09-01096-000 (District 5), Recorded in OR BK 32652 PG 0386. D) Standard Reclaimed Water Service Agreement Lake Discharge System with SHP VI/Holden Delray LLC, RWSA #09-90016-000 (District 5), Recorded in OR BK 32652 PG 0378. E) Standard Reclaimed Water Service Agreement Direct System with Sunrise of Boynton Beach Propco, LLC, SRWSA #05-90027-000 (District 5), Recorded in OR BK 32603 PG 1103. F) Standard Reclaimed Water Development Agreement with Sunrise of Boynton Beach Propco, LLC, SDA #05-90027-000 (District 5), Recorded in OR BK 32603 PG 1094. G) Standard Potable Water and Wastewater Development Renewal Agreement with TLH-29 Anwar, LLC, SDRA #01-01235-000 (District 1), Recorded in OR BK 32672 PG 1216. 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 1, 5, & 6 (MJ)
2. Staff recommends motion to: A) **approve an Interlocal Agreement (ILA) with the City of Belle Glade** (City) relating to Coordination of Road and Utility Construction; and B) authorize the County Administrator or designee to execute a reimbursement memorandum, which is attached to the ILA as Exhibit "A" for future road improvement projects. SUMMARY: Palm Beach County Water Utilities Department (PBCWUD) owns and operates the public water distribution system and wastewater collection system located within the limits of the City, which can be impacted by the City's road improvement projects. The proposed ILA provides



for coordination between PBCWUD and the City for the planning and construction of the City's road improvement projects. The ILA includes the relocation design of PBCWUD facilities, and when needed, can be done by the City's consultant. The relocation, construction and or adjustment of PBCWUD facilities can be done by the City's road contractor and be included in the City's road improvement projects. District 6 (MJ)

## **REGULAR AGENDA**

### **5B. ENGINEERING & PUBLIC WORKS**

2. Staff recommends motion to adopt: forty-five resolutions to initiate eminent domain proceedings by declaring the acquisition of properties designated as parcels 101, 102, 103, and 104 as right-of-way easements, parcel 218 as an embankment easement, parcels 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 219, 221, 222, 223, 225, 226, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 243, 244, 246, 247, 248, 249, and 250 as permanent easements, and parcels 301, 305, 321, 330, 331, 332, 343, 345, and 350 as temporary construction easements necessary for the construction of roadway improvements on **Royal Palm Beach Boulevard from the M Canal to south of Orange Boulevard** (Project). SUMMARY: Adoption of these resolutions will initiate eminent domain proceedings pursuant to Chapters 73, 74, 127, and Section 337.27(1), Florida Statutes, as amended, against 57 parcels having a total appraised value of \$1,004,430. To date, the property owners have not accepted the offers to purchase made by Palm Beach County and attempts to negotiate the purchases have been unsuccessful. The parcels are necessary for the reconstruction of Royal Palm Beach Boulevard from a two lane undivided roadway to a five lane undivided roadway. The Project also includes the installation of drainage, shoulders/bike lanes, and sidewalks. Eminent domain proceedings are necessary to acquire the parcels at this time in order to expedite construction of the Project. This project is scheduled for FY22 at a budgeted amount of \$6 million. This Project is included in the Five Year Road Program. District 6 (DO)

**NOVEMBER 16, 2021**

**CONSENT AGENDA**

**3K. WATER UTILITIES**

1. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 4 to the Contract for Consulting/Professional Services Water Treatment and Water Resources Engineering Services (Contract) with CDM Smith Inc., (Consultant) for the **Belle Glade Water Treatment Plant (BGWTP) Demolition (Project) for a not to exceed amount of \$286,495.20.** SUMMARY: On November 17, 2020, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2020-1719) with Consultant. CSA No. 4 provides for professional consulting services relating to survey, design, permitting and bidding of improvements at the former BGWTP site, namely the demolition and restoration of the site and upgrades to water distribution piping including the South Bay master meter. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On September 18, 2019, the Goal Setting Committee applied an Affirmative Procurement Initiative (API) of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting goal and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified African American owned firms were the API applied to the Contract. The Contract provides for 21.00% SBE participation, which includes 19% MBE participation, 19% MBE (B). CSA No. 4 includes 68.68% SBE participation, which includes 68.68% MBE participation, 68.68% MBE (B). The cumulative SBE participation including CSA No. 4 is 43.65% SBE participation, which includes 19.07% MBE participation, 19.07% MBE (B). Consultant is headquartered in Boston, Massachusetts, but maintains an office in Palm Beach County from which the majority of the work will be performed. The Project is included in the PBCWUD FY22 budget. (PBCWUD Project No. 21-051) District 6 (MJ)
2. Staff recommends motion to: A) approve Amendment No. 1 to Agreement No. SG054 with the State of Florida Department of Environmental Protection (DEP) and Palm Beach County for additional funds in the amount of **\$82,439.65 for the Western Region North Wastewater Treatment Facility (WWTF) Sand and Grit Removal (Project)**; B) approve an additional time extension for the grant period to January 31, 2023; C) approve a budget amendment of \$82,439.65 in the Palm Beach County Water Utilities Department (PBCWUD) Operations Fund to recognize the \$82,439.65 grant revenue from the agreement; and D) authorize the County Administrator or designee to execute amendments, subrecipient funding agreements, amendments thereto, and all other documents necessary for the implementation of the grant award. SUMMARY: On August 25, 2020, the Board of County Commissioners approved the Catalog of State Financial Assistance No. 37.075, Agreement No. SG054 (R2020- 1070) with DEP. The DEP has allotted \$2,000,000 for publicly owned utilities to remove sand and grit from wastewater treatment plants with daily flow less than three million gallons per day (MGD) and must remain in operation during cleaning to avoid the discharge of untreated wastewater. PBCWUD is eligible for this grant as: 1) the Bid 20-024-CC was competitively bid and awarded; 2) the WWTF has daily flows less than three MGD and must remain in service during cleaning to avoid discharge of untreated wastewater; and 3) the WWTF is located in Pahokee and is registered as 37.9% above the poverty level with the US Census Bureau,

exceeding the grant requirement of equal to or greater than 25%. Since the location of the WWTF exceeds the poverty requirement for this grant, no local match is required. Amendment No. 1 to the agreement will fund additional monies for cleaning an additional tank in the amount of \$82,439.65 for this project and for a total funding agreement amount of \$195,736.25. District 6 (MJ)

### **3AA. PALM TRAN**

1. Staff recommends motion to: A) adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida, **approving the submission of a Section 5311 grant application for \$353,821, as supplemented by the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) and American Rescue Plan Act (ARPA) of 2021, and as administered by the Florida Department of Transportation (FDOT) to partially offset the operational costs for service in the Glades Region;** B) adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida, **approving a submission of the Section 5310 grant application for \$1,199,741, as supplemented by the CRRSAA and ARPA of 2021, and as administered by the FDOT, to partially offset the operational costs for service in the Glades Region;** and C) authorize the Mayor of the Board of County Commissioners to execute the grant applications, supporting documents, and assurances. SUMMARY: The FDOT Central Office is soliciting applications for the Federal Transit Administration's Sections 5310 and 5311 programs that have been supplemented by CRRSAA and the ARPA of 2021. If awarded, the grant will partially offset the operating costs of Palm Tran's service in the Glades Region of Palm Beach County. The grant applications contain an indemnification agreement that differs from that adopted for use by the County under PPM CW-F-049. The grants require the County, to the extent permitted by law and in accordance with the provisions of Section 768.28, Florida Statutes, to indemnify, defend and hold harmless FDOT and all of its officers, agents and employees from any claim, loss, damage, cost, charge, or expense arising out of the County's non-compliance in the performance of the agreements, including that of its officers, agents or employees. An exception to the PPM has been recommended by the Risk Management Department and the County Attorney's Office, taking into consideration the County's need to provide the services, the amount of the grant awards, the County's current performance of such services and liability for its own acts, and the non-waiver of sovereign immunity beyond the statutory caps of Section 768.28, Florida Statutes. The indemnification obligation must also be passed on to contractors and/or consultants. No matching funds are required. District 6 (MM)

**DECEMBER 7, 2021**

**CONSENT AGENDA**

**3H. FACILITIES DEVELOPMENT & OPERATIONS**

5. Staff recommends motion to approve: Amendment No. 2 to License Agreement #2274, with **South Florida Fair & Palm Beach County Expositions, Inc.** for the continued use of storage space by Fire Rescue extending the term from January 1, 2022 through December 31, 2022. SUMMARY: On December 29, 2020, the County Administrator executed License Agreement #2274 with South Florida Fair & Palm Beach County Expositions, Inc. (Fair) for warehouse space at the Fairground to store emergency supplies related to the COVID-19 emergency. The term is from January 4, 2021 through December 31, 2021 with no option to extend, at a rate of \$325 per day and \$600 of monthly utilities. Fire Rescue has requested a one-year extension as it is still in need of storage space as part of its continued efforts in response to the COVID19 pandemic. The Fair has agreed to the extension. This Amendment No. 2 will extend the term from January 1, 2022 through December 31, 2022. The rental rate and utility cost will remain unchanged. All other terms of the License Agreement remain unchanged. Fire Rescue will continue to have administrative responsibility for this License Agreement. This License Agreement is may be exempt from public disclosure pursuant to Sections 119.071(3)(a) and 286.011, Florida Statutes. (Property & Real Estate Management) District 6 (HJF)

**3I. HOUSING AND ECONOMIC DEVELOPMENT**

5. Staff recommends motion to receive and file: the following documents executed in connection with a loan made to Cutting Edge Landscape Services LLC under the U.S. Department of Agriculture (USDA) Intermediary Relending Program (IRP). A) Palm Beach County USDA IRP Commitment Letter, dated February 3, 2021 for \$39,375; B) Palm Beach County USDA IRP Promissory Note, dated May 19, 2021 for \$39,375; C) Palm Beach County USDA IRP Loan Agreement, dated May 19, 2021 for \$39,375; D) Palm Beach County USDA IRP General Security Agreement, dated May 19, 2021; E) Palm Beach County USDA IRP Collateral Security Agreement, dated May 19, 2021; F) Palm Beach County USDA IRP Assignment of Leases and Rent, dated May 19, 2021; G) Palm Beach County USDA IRP Guaranty Agreement, dated May 19, 2021; H) Palm Beach County USDA IRP Further Assurances and Errors and Omissions Statement; I) UCC-1 Financing Statement (Florida Secured Transaction Registry); and J) State of Florida Certificate of Title. 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 USDA IRP \$39,375 loan will be used for working capital by Cutting Edge Landscape Services LLC, a landscape services company serving the Glades communities.** The total project will create two full time equivalent jobs over five years. These are Federal funds, which require no local match. District 6 (DB)
8. Staff recommends motion to approve: A) a budget transfer of \$1,810,000 in the Housing and Economic Development Fund to set up transfers and allocate funds for capital projects to be

funded from Federal Community Development Block Grant Funds; B) a budget amendment of \$960,000 in the Public Building Fund to recognize the transfer from the Housing and Economic Development Fund and to appropriate funds for approved capital projects; and C) a budget amendment of \$850,000 in the Parks Improvement Fund to recognize the transfer from the Housing and Economic Development Fund and to appropriate funds for an approved capital project. SUMMARY: On July 13, 2021, the Board of County Commissioners (BCC) adopted Resolution Number R2021-0948 that approved the Fiscal Year 2021-2022 Action Plan. The Action Plan is Palm Beach County's application to HUD for funding under the CDBG, HOME and ESG Programs. **Included in the Action Plan were allocations of Federal Community Development Block Grant (CDBG) funds for the Lake Village at the Glades project for \$305,000, the Belle Glade Intake and Assessment Center project for \$655,000 and the Glades Pioneer Park project for \$850,000.** The Memoranda of Understanding between the Department of Facilities Development and Operations (FDO), the Parks and Recreation Department (Parks) and the Department of Housing and Economic Development require that interdepartmental budget transfers be established to reimburse FDO and Parks for eligible project costs. These budget transfers and amendments are necessary to appropriate the required budget. These are CDBG funds, which require no local match. District 6 (HJF)

### **3K. WATER UTILITIES**

1. Staff recommends motion to approve: Work Authorization (WA) No. 5 to the Lift Station Rehabilitation Continuing Construction Contract 2020 (Continuing Contract) with Hinterland Group Inc. (Hinterland) for the **Lift Station 8306 Improvements (Project) in the amount of \$438,231.33.** SUMMARY: On September 15, 2020, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2020-1379) with Hinterland. WA No. 5 provides for the installation of 650 linear feet of 6-inch force main necessary to connect Lift Station (LS) 8306 to the existing force main pipe along **NW 1st Avenue in South Bay**. The Project also includes the installation of a fire hydrant and a water service, mechanical and electrical rehabilitation of the lift station. The Continuing Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On January 15, 2020, the Goal Setting Committee applied an Affirmative Procurement Initiative of a mandatory 20% Small Business Enterprise (SBE) subcontracting participation, of which 3% shall be among certified African American and/or Hispanic American owned firms. The Continuing Contract provides for 26.87% SBE participation which includes 3.18% MBE participation, 3.18% MBE (H). WA No. 5 includes 20.33% SBE participation, which includes 12.73% MBE participation, 12.73% MBE (H). The cumulative SBE participation including WA No. 5 is 7.71%, which includes 2.99% MBE participation, 2.99% MBE (H). Hinterland is a Palm Beach County based Company. The Project is included in the PBCWUD FY22 budget. (PBCWUD Project No. 20-007) District 6 (MJ)
2. Staff recommends motion to approve: Work Authorization (WA) No. 11 to the Contract for Optimization and Improvements Design-Build (Contract) with Globaltech, Inc., (Globaltech) for the **Water Treatment Plant No. 11 (WTP11) Post-Treatment Chemical Improvements (Project) for a Guaranteed Maximum Price in the amount of \$4,461,141.64.** SUMMARY: On January 15, 2019, the Board of County Commissioners approved the Palm Beach County

Water Utilities Department (PBCWUD) Contract (R2019-0099) with Globaltech. WA No. 11 provides for the design and construction of proposed improvements to the post-treatment system improvements at WTP11. The proposed improvements will increase redundancy and reliability of the water treatment process. This Contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2002-0064) prior to the adoption of the new Equal Business Opportunity Ordinance on October 16, 2018. The SBE participation goal established under the 2002 Ordinance was 15% overall participation. The Contract provides for 58% SBE participation, which includes 12% MBE participation, 10% MBE (H), 1% MBE (B) and 1% MBE (A). WA No. 11 includes 100% SBE participation, which includes 7.38% MBE participation, 2.65% MBE (H), 0.38% MBE (B), and 4.35% MBE (A). The cumulative SBE participation including WA No. 11 is 99.56% SBE, which includes 7.86% MBE participation, 5.07% MBE (H), 0.36% MBE (B), and 2.43% MBE (A). Globaltech is a Palm Beach County based Company. The Project is included in the PBCWUD FY22 budget. (PBCWUD Project No. 21-066) District 6 (MJ)

### **3AA. PALM TRAN**

1. Staff recommends motion to approve: a contract amendment in the amount of **\$401,192 for the continuation of the Dial-A-Ride/Mobility On Demand (MOD) Transportation Service for the Glades Region - Pilot Program** by and between Palm Beach County and MV Transportation, Inc. and MV Contract Transportation, Inc. (R2020-1917) extending the contract from December 21, 2021 to June 30, 2022. SUMMARY: Due to the COVID-19 pandemic, on April 13, 2020, Palm Tran transitioned Go Glades from a flex route service to a dial-a-ride/mobility on demand service. This change was critical for the health and wellbeing of our customers by limiting the number of passenger on each vehicle in order to provide social distancing. Subsequently, staff provided an update on this service transition at the June 23, 2020 workshop, and recommended continuation of the dial-a-ride service model. The BCC agreed with the recommendation and continuation of the service. On June 22, 2021; during a workshop for the Go Glades Service, Palm Tran staff requested a six month extension for the current contract set to expire on December 20, 2021, in order to implement the Board's directive with no lapse in service to customers. This amendment increases the contract amount from \$1,391,519 to \$1,792,711. District 6 (MM)

### **REGULAR AGENDA**

#### **6A. FACILITIES DEVELOPMENT & OPERATIONS**

2. Staff recommends motion to name: **conference room #113 at the Wellington Branch Library to "The Tom and Regis Wenham Conference Room."** SUMMARY: At the request of Commissioner Melissa McKinlay and approval of the Board of County Commissioners sitting in session on November 23, 2021, staff was given direction to provide a plan to name a room at the Wellington Branch Library after Tom and Regis Wenham. Tom Wenham served as an Air Force flight engineer with the 8th Bomb Squadron during the Korean War. In 1994, he was elected to Acme Improvement District Board. In 1996, he was elected to Seat 3 of the newly incorporated Village of Wellington and then appointed Mayor of the city council in 2000. After an ordinance was passed to allow voters to elect the mayor, Mr. Wenham was elected mayor

in 2003 and served in that post until 2008. Regis Wenham has a long history of community service. In October 1999, she was appointed to the Library Advisory Board by Commissioner Masilotti as a representative for District 6. For the past 22 years she has been reappointed to the Advisory Board by Commissioners Santamaria and McKinlay. Ms. Wenham served as Chair of the Library Advisory Board from 2007- 2008. Countywide (AH)

3. Staff recommends motion to name: **children’s meeting room #116 at the Wellington Branch Library to “The Kathy Foster Children’s Activities Room.”** SUMMARY: At the request of Commissioner Melissa McKinlay and approval of the Board of County Commissioners sitting in session on November 23, 2021, staff was given direction to provide a plan to name a room at the Wellington Branch Library after Kathy Foster. Ms. Foster was the first woman elected supervisor in the Wellington community for a seat on the Acme Improvement District Board in 1990. It was the first popular election in the community’s history. From 1992-1994, she served as President of the Board of Supervisors for the Acme Improvement District Board. In 1996, Ms. Foster was elected to Seat 5 of the city council after Wellington’s incorporation and named mayor by the Board. Ms. Foster is an Interior Designer with a degree from Brooklyn College, CUNY in textiles and designs. She is a member of St. Rita Catholic Church and ran two nonprofits after leaving office: Adam Walsh Children’s Fund and Junior Achievement. Countywide (AH)

## 6D. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida; approving **the issuance of Housing Finance Authority of Palm Beach County, Florida, Multifamily Housing Revenue Bonds (Everglades Townhomes) in the principal amount of \$14,000,000.** SUMMARY: The Bonds are being issued by the Housing Finance Authority of Palm Beach County, Florida (the Authority), to finance the costs of acquiring, constructing and equipping a multifamily rental housing facility to contain approximately 60 units to be known as Everglades Townhomes (the Project). The Project will be located at 200 S. Barfield Highway, Pahokee, Florida. These units will be rented to qualified persons and families whose household incomes do not exceed 80% of area median income (currently \$68,480 for a family of four) for a minimum period of 15 years. The borrower is Everglades Townhomes LP, a Florida limited liability company, or an affiliate thereof (the Borrower), and the developer is Oikos Development Corporation. The Bonds will be payable solely from revenues derived from the Borrower and/or other collateral provided by or on behalf of the Borrower. Bryant Miller Olive P.A. is Bond Counsel to the Authority with respect to the Bonds, and Hunt Capital Partners will be the Borrower’s placement agent for the Bonds. On November 12, 2021, the Authority held a public hearing with respect to the Bonds in the noticed principal amount of \$14,000,000 as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”). Neither the taxing power nor the faith and credit of the County nor any County funds are pledged to pay the principal, redemption premium, if any, or interest on the Bonds. District 6 (DB)

# DECEMBER 21, 2021

## CONSENT AGENDA

### 3K. WATER UTILITIES

3. Staff recommends motion to approve: a General Release, Hold Harmless and Indemnification Agreement (Agreement) with the **City of Belle Glade** (Belle Glade). SUMMARY: The payment drop box located at Belle Glade City Hall, 110 Dr. M.L.K Blvd W, Belle Glade, can only be accessed by Belle Glade staff from Monday through Thursday. To better serve Palm Beach County Water Utilities Department (PBCWUD) customers and minimize the potential loss or misplacement of payments, PBCWUD is proposing to install a stand-alone payment drop box outside Belle Glade City Hall. The installation of this drop box will allow PBCWUD to access and collect payments from Monday through Friday. Belle Glade has agreed to the installation of the stand-alone payment drop box to be located on their property contingent upon the execution of this Agreement. The Agreement requires the County to indemnify, hold harmless, and release Belle Glade from certain liabilities in relation to the stand-alone payment drop box, and utilizes language, which differs from the County standard language set forth in Countywide PPM CW-F-049. The Risk Management Department and the County Attorney's Office have reviewed the terms and agree to the deviations. District 6 (MJ)
7. Staff recommends motion to approve: Change Order (CO) No. 2 with TLC Diversified, Inc. (Contractor) for the Lift Station Rehabilitation Project B Bid Package 2 (Project) in the amount of \$160,405.53 and for an additional 71 calendar days of project time extension. SUMMARY: On January 12, 2021, the Board of County Commissioners (BCC) approved the Palm Beach County Water Utilities Department (PBCWUD) Contract for the Lift Station Rehabilitation Project B Bid Package 2 (R2021-0063) in the amount of \$6,922,400. The Contract provides for the rehabilitation of 29 lift stations throughout the PBCWUD service area to meet the current PBCWUD standards. CO No. 2 provides for modifications to the original design of control panels and electrical racks at nine lift stations. CO No. 2 will increase the contract by \$160,405.53 and extend the contract time by 71 days. The Contract was procured under the requirements of the Equal Business Opportunity (EBO) Ordinance. On January 29, 2020, the Goal Setting Committee applied an Affirmative Procurement Initiative of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting participation of which 5% shall be among certified African American and/or Hispanic American owned firms. The contract provides for 29.32% SBE participation which includes 8.97% MBE, 8.97% MBE (B). One of the vendors, which accounted for 20.35% of the SBE participation graduated from the SBE program in July 2021 and is no longer an SBE. The Contractor performed a good faith effort and applied for a waiver with the Office of Equal Business Opportunity (OEBO). OEBO approved the waiver and the new SBE requirements was reduced to 8% SBE with a 5% MBE participation. CO No. 2 includes 20.30% SBE participation, which includes 20.30% MBE participation, 20.30% MBE (B). The cumulative SBE participation including CO No. 2 is 9.36% SBE, which includes 9.36% MBE participation, 9.36% MBE (B). Contractor is headquartered in Palmetto, Florida, but maintains an office in Palm Beach County from which the majority of the work will be performed. The Project is included in the FY22 budget. (PBCWUD Project 15-096B) Districts 2, 5, 6 & 7 (MJ)



## REGULAR AGENDA

### 5D. PARKS & RECREATION

1. **Staff recommends motion to approve: A) a \$70,000 budget transfer from the Park Improvement Fund to the General Fund Orange Bowl Field at Glades Pioneer Park Project budget; and B) a \$70,000 budget amendment in the General Fund to recognize the transfer from the Park Improvement Fund and allocate \$697,013 from General Fund Contingency Reserves to reestablish the project budget. SUMMARY:** On April 10, 2018, the Board adopted resolutions 2018-0597 and 2018-0598 approving a Project Cooperation Agreement with O.B. Pioneer Park LLC (OBLLC) for the design, permitting, and construction of the Orange Bowl Field Project at Glades Pioneer Park and a budget transfer of \$1,500,000 from General Fund Contingency Reserve to fund the 50% financial match of the project cost. OBLLC received grant funding for \$400,000, increasing the project budget to \$3,400,000. Phase I consisted of a synthetic athletic field, electronic scoreboard, and related items. Phase II, consists of the construction of a community building with public restrooms. OBLLC has determined that there is a \$140,000 project funding deficit associated with Phase II of the project. Per Article H(4)(e) of the contract, if the OBLLC reasonably estimates that the cost of completing construction of the Project exceeds the Total Allocation by less than ten percent (10%) then the County shall have a right to agree through its County Administrator to fund 50% of such cost overruns. On October 7, 2021, the Orange Bowl Committee Board of Directors approved an increase to the Glades Pioneer Park legacy gift contribution of up to an additional \$140,000, and per the Project Cooperation Agreement is requesting that the County provide a 50% match of the project cost (\$70,000). Funding for the 50% match has been made available in the Park Improvement Fund Special Recreation Facilities & Museum Repair & Renovation FY20 Project. Existing Special Recreation Facilities & Museum Repair & Renovation projects have been re-prioritized so that this ongoing project can be completed. In addition, a budget transfer from General Fund Contingency Reserves is required to account for the \$697,013 Orange Bowl project balance from Phase I (carryforward) that was inadvertently returned to the General Fund during the FY 2022 budget planning process. District 6 (AH)