

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

NOVEMBER 5, 2019

<u>PAGE</u>	<u>ITEM</u>	
17	4A-2	ADD-ON: Staff recommends motion to approve: a budget transfer in the amount of \$130,000 from the General Fund-Contingency Reserves to the Division of Human and Veteran Services (DHVS), for the provision of emergency housing services provided to clients of The Jerome Golden Center for Behavioral Health, Inc. (Jerome Golden Center) that face possible loss of stable housing. SUMMARY: In early September 2019, staff was advised that the Jerome Golden Center, a major provider of publicly funded behavioral health services in Palm Beach County, was filing for bankruptcy. In the weeks following this notification, it was announced that the Jerome Golden Center had accepted an offer for a full asset sale of all its associated properties to an unnamed for-profit organization. It is expected that this sale will leave an enormous void in the behavioral health continuum of care. Among the properties included in the sale are two residential properties, collectively containing 55 apartments housing individuals with severe and persistent mental illness (47 are occupied). In addition to these properties, the Jerome Golden Center also provides case management to 40 scattered sites housing units. The total number of housing units under the direction of Jerome Golden is 131. The City of West Palm Beach has amended their contract with the Palm Beach County Housing Authority to place 44 Housing Opportunities for Persons with AIDS clients and has added an additional five client slots to transition facility based clients. Staff is requesting \$130,000 from the contingency reserves to ensure that 40 units for the most vulnerable clients continue to be operational and allow those housed clients to remain stable through this transition. In addition, the U.S. Department of Housing and Urban Development (HUD) contract is ending in May of 2020 and will sunset at that time. DHVS has to transition 31 clients before expiration. This request covers two months of rental and utility costs for 31 HUD funded clients and also nine clients funded through the County until September 2022. The breakdown of requested ad valorem funds will be \$40,861 for a contract with a partner agency that the County is working on finalizing for that agency to begin paying these rents as of December 1, \$10,000 for internal staff costs to administer the program short term, and \$79,139 which will be used to cover the lapse in HUD funding while their agreement is transitioned to the County from Jerome Golden and to pay rents for clients until the partner agency contract is in place. County staff will be working with HUD in an effort to recoup the funds expended on that agreement during the transition period. The contract with a partner agency will be presented to the board at an upcoming meeting. <u>Countywide</u> (HH) (Comm Svs)
19	4C-1	REVISED MOTION: Staff recommends motion to authorize: the County Administrator or designee to execute Amendment No. 1 to the contract (R2018-1162) with All-Site Construction Inc. in an amount not to exceed \$400,000 for the Supervisor of Elections (SOE) Interior Renovations project. (FDO)

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

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

NOVEMBER 5, 2019

**TUESDAY
9:30 A.M.**

**COMMISSION
CHAMBERS**

- 1. CALL TO ORDER**
 - A. Roll Call
 - B. Invocation
 - C. Pledge of Allegiance

- 2. AGENDA APPROVAL/SPECIAL PRESENTATIONS/BCC AND STAFF COMMENTS**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
 - C. Special Presentations (Page 4)
 - D. Staff Comments (Page 5)
 - E. Commissioner Comments (Page 6)

- 3. CONSENT AGENDA (Pages 7-16)**

- 4. REGULAR AGENDA (Pages 17-20)**

- 5. BOARD APPOINTMENTS (Page 21)**

- 6. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 22)**

- 7. ADJOURNMENT (Page 23)**

TABLE OF CONTENTS

SPECIAL PRESENTATIONS - 9:30 A.M.

Page 4

- 2C-1 25th Anniversary of the Unicorn Children’s Foundation, Inc.
- 2C-2 National Hunger and Homelessness Awareness Week
- 2C-3 National Family Caregivers Month
- 2C-4 Joey Bergsma Retinoblastoma Awareness Month
- 2C-5 National Nurse Practitioner Week
- 2C-6 Prime Time Palm Beach County, Inc.
- 2C-7 National American Indian Heritage Month
- 2C-8 Diabetes Month
- 2C-9 Farm-City Week
- 2C-10 World AIDS Day
- 2C-11 Lilly Pulitzer Day
- 2C-12 100th Anniversary of the Palm Beach County Medical Society
- 2C-13 10th Anniversary of Lakeside Medical Center
- 2C-14 Alzheimer’s Awareness Month

STAFF COMMENTS

Page 5

- 2D-1 Receive and file Board Directive Reports

COMMISSIONER COMMENTS (Page 6)

CONSENT AGENDA

B. CLERK & COMPTROLLER

Page 7

- 3B-1 Warrant list
- 3B-2 Minutes
- 3B-3 Contracts and claims settlements list
- 3B-4 Clerk & Comptroller Finance Department records which have been converted to an electronic format
- 3B-5 Change orders, work task orders, minor contracts, final payments, etc

C. ENGINEERING & PUBLIC WORKS

Page 8

- 3C-1 Amendment to contract with Southwide Industries, Inc. to update contract language and expiration date
- 3C-2 Work orders to contract with Ranger Construction Industries, Inc. to mill and resurface High Ridge Road from Miner Road to Hypoluxo Road and Central Boulevard from Donald Ross Road to Indian Creek Parkway utilizing the County’s Contract with Ranger

E. COMMUNITY SERVICES

Page 9

- 3E-1 Receive and file applications Sunshine Health and Humana for Long-Term Care Managed Care Plans

Page 10

- 3E-2 Ratify Mayor’s signature on grant applications related to ending homelessness
- 3E-3 Receive and file contract for provision of services with Catholic Charities of the Diocese of Palm Beach, Inc., related to homeless prevention services

Page 11

- 3E-4 Ratify Mayor’s signature on the Ryan White Part A HIV Emergency Relief Grant Program application related to improving health outcomes for clients with HIV/AIDS

F. AIRPORTS

Page 11

- 3F-1 Receive and file Federal Aviation Administration Grant Agreement to conduct Environmental Study at North Palm Beach County General Aviation Airport

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

Page 12

3G-1 Settlement offer for full satisfaction of code lien entered against Fish Farm, LLC

3G-2 Settlement agreement for full satisfaction of code lien entered against Summit Center, LLC

Page 13

3G-3 Reappointments to the Investment Policy Committee

K. WATER UTILITIES

Page 13

3K-1 Work authorization to contract with Hinterland Group Inc. for Utility Relocation along Hamlin Blvd; Indian Trail Culvert Improvement project

L. ENVIRONMENTAL RESOURCES MANAGEMENT

Page 14

3L-1 Contract with the University of Florida, Board of Trustees for statistical analysis and reporting of surface water quality data at the Lake Worth Lagoon Watershed

X. PUBLIC SAFETY

Page 14

3X-1 Receive and file State-Funded Grant Agreement for Hazardous Material Planning and Prevention Program with the State of Florida, Division of Emergency Management

CC. INTERNAL AUDIT

Page 15

3CC-1 Receive and file audit reports reviewed by the Audit Committee for September 2019

DD. OFFICE OF EQUAL BUSINESS OPPORTUNITY

Page 16

3DD-1 Appointment to the Equal Business Opportunity Advisory Committee

REGULAR AGENDA

A. COMMUNITY SERVICES

Page 17

4A-1 Addition of three grant-funded positions related to homelessness issues at John Prince and Phil Foster parks

B. HOUSING AND ECONOMIC SUSTAINABILITY

Page 18

4B-1 HOME Investment Partnerships Program funding award to New Urban Community Development Corporation, Inc. for the Henrietta Townhomes project

C. FACILITIES DEVELOPMENT AND OPERATIONS

Page 19

4C-1 Amendment to contract with All-Site Construction Inc. for the Supervision of Elections Interior Renovations Project

4C-2 Addition of two positions to the Capital Improvements Division

D. COUNTY ATTORNEY

Page 20

4D-1 Private attorney-client session in the case of In re: National Prescription Opiate Litigation

BOARD APPOINTMENTS (Page 21)

MATTERS BY THE PUBLIC – 2:00 P.M. (Page 22)

ADJOURNMENT (Page 23)

2C. SPECIAL PRESENTATIONS – 9:30 A.M.

1. Proclamation declaring November 22, 2019 as the 25th Anniversary of the Unicorn Children’s Foundation, Inc. in Palm Beach County (Sponsored by Commissioner Weinroth)
2. Proclamation declaring November 17-23, 2019 as National Hunger and Homelessness Awareness Week in Palm Beach County (Sponsored by Mayor Bernard)
3. Proclamation declaring November 2019 as National Family Caregivers Month in Palm Beach County (Sponsored by Commissioner Weinroth)
4. Proclamation declaring November 2019 as Joey Bergsma Retinoblastoma Awareness Month in Palm Beach County (Sponsored by Mayor Bernard)
5. Proclamation declaring November 10-16, 2019 as National Nurse Practitioner Week in Palm Beach County (Sponsored by Commissioner Valeche)
6. Certificate of Recognition presented to Prime Time Palm Beach County, Inc. (Sponsored by Mayor Bernard)
7. Proclamation declaring November, 2019 as National American Indian Heritage Month in Palm Beach County (Sponsored by Commissioner Valeche)
8. Proclamation declaring November 2019 as Diabetes Month in Palm Beach County (Sponsored by Commissioner Berger)
9. Proclamation declaring November 20-27, 2019 as Farm-City Week in Palm Beach County (Sponsored by Commissioner McKinlay)
10. Proclamation declaring December 1, 2019 as World AIDS Day in Palm Beach County (Sponsored by Commissioner Berger)
11. Proclamation declaring November 10, 2019 as Lilly Pulitzer Day in Palm Beach County (Sponsored by Commissioner McKinlay)
12. Proclamation recognizing the 100th Anniversary of the Palm Beach County Medical Society in Palm Beach County (Sponsored by Commissioner Weiss)
13. Proclamation recognizing the 10th Anniversary of Lakeside Medical Center (Sponsored by Commissioner McKinlay)
14. Proclamation declaring November 2019 as Alzheimer’s Awareness Month in Palm Beach County (Sponsored by Commissioner Weiss)

* * * * *

2D. STAFF COMMENTS

1. ADMINISTRATION COMMENTS

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

2. COUNTY ATTORNEY

NOVEMBER 5, 2019

2E. COMMISSIONER COMMENTS

District 1 – COMMISSIONER HAL R. VALECHE

District 2 – COMMISSIONER GREGG K. WEISS

District 3 – COMMISSIONER DAVE KERNER, VICE MAYOR

Request for off-site Proclamation declaring November 20, 2019 as Palm Beach County Water Utilities Department Day

District 4 – COMMISSIONER ROBERT S. WEINROTH

Request for off-site Proclamation declaring December 1, 2019 as Delray Dunes Day in Palm Beach County

District 5 - COMMISSIONER MARY LOU BERGER

District 6 - COMMISSIONER MELISSA MCKINLAY

District 7 – COMMISSIONER MACK BERNARD, MAYOR

Request for off-site Proclamation declaring November 8, 2019 as Dr. Gerald C. Burke Day in Palm Beach County

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

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

Meeting Type	Meeting Date
Workshop	July 23, 2019
Zoning	July 25, 2019

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. Countywide
4. **Staff recommends motion to receive and file:** a list of Clerk & Comptroller Finance Department records which have been converted to an electronic format. **SUMMARY:** These records have been converted from paper to an electronic format. The electronic records will be maintained according to their required retention schedule under the State of Florida’s General Records Schedule GSI-SL for State and Local Government Agencies per Chapter 119 and Chapter 257, Florida Statutes.
5. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations; Water Utilities Department; Environmental Resources Department; and the Department of Airports during January 2018.

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve: a second amendment to the annual pavement marking contract R2017-1656, Project No. 2017054, dated November 7, 2017, with Southwide Industries, Inc. (Southwide) to extend the expiration date from November 6, 2019 to November 6, 2020, increase the contract by \$1,140,000 and update contract language. **SUMMARY:** Approval of this second amendment will increase the contract from \$5,000,000 to \$6,140,000 and extend the expiration date from November 6, 2019 to November 6, 2020; update the commercial non-discrimination section, the maintenance of payroll records section, the reporting payroll section, the local government prompt payment act section and the proposal form page P-4A; and add the vendor self service registration paragraph and the audit of contractor's records section. The increased contract amount is based on updated estimates that exceed the current contract amount to be expended throughout Palm Beach County (County) by the user departments. The contract was submitted to the Office of Equal Business Opportunity (OEBO) and OEBO approved the renewal of the contract under its current terms because the current S/M/WBE utilization of the Small Business Enterprise (SBE) vendors on the contract is satisfactory based upon the availability of S/M/WBE certified to perform the work. The SBE goal for all contracts was 15%. Southwide committed to and met 100% SBE participation and they are a certified SBE company. To date, tasks in the amount of \$3,060,919 have been authorized for the contract. The bid was solicited on November 7, 2017, prior to the effective date of the Equal Business Opportunity Ordinance and pursuant to the SBE Ordinance at the time. This is the second of two allowable extensions not to exceed 36 months total contract time. After this 12-month extension, the contract will be resolicited. Countywide (YBH)

2. Staff recommends motion to approve:

A) Work Order 2018051-62 in the amount of \$225,000 to mill and resurface High Ridge Road from Miner Road to Hypoluxo Road utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2018-1533 (Contract) with Ranger Construction Industries, Inc. (Ranger); and

B) Work Order 2018051-63 in the amount of \$1,175,000 to mill and resurface Central Boulevard from Donald Ross Road to Indian Creek Parkway utilizing the County's Contract with Ranger.

SUMMARY: Per County PPM CW-F-050, these work orders exceed the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of these work orders will allow the contractual services necessary to construct the improvements. Prior to these work orders, approximately \$12 million of Ranger's \$31.4 million Contract has been spent or encumbered. On October 16, 2018, the BCC approved the Contract with Ranger to provide milling and resurfacing of County roadways for countywide projects. The Contract was renewed on October 22, 2019 with a 15% mandatory Small Business Enterprise (SBE) goal set as the Affirmative Procurement Initiative. Ranger agreed to 15% SBE participation for this work order. Approval of these work orders will result in a cumulative SBE participation of 15% for all the work orders issued under the Contract. Districts 1 & 3 (YBH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to receive and file:

A) the Sunshine Health Long Term Care Credentialing/Re-credentialing Application to verify Division of Senior Services (DOSS) credentials for long-term managed care programs in accordance with the Agency for Health Care Administration (AHCA) requirements, to provide community-based services to their members; and

B) the Humana Long Term Care Provider Enrollment Application to update DOSS credentials for long-term care providers in accordance with AHCA requirements, to provide community-based services to their members.

SUMMARY: DOSS is a provider and currently has an application with Sunshine Health (R2013-0863) and Humana (R2013-0861), which are Florida Statewide Medicaid Long-Term Care Managed Care Programs (LTCMCP). LTCMCP credential verification requires ongoing monitoring and maintenance of providers' records to ensure information is accurate and up-to-date as required by AHCA, and in accordance with applicable state law. DOSS will continue to provide long-term managed care and community-based services as a provider. To avoid interruption to services, the renewal process allows for the continued submission of DOSS invoices for Medicaid long-term clients for reimbursement. On February 7, 2017, the Board of County Commissioners authorized the County Administrator, or designee, to execute renewal enrollment applications for this purpose. 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. Sufficient funding is included in the current budget to meet County obligations. (Division of Senior Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to:

A) ratify the signature of the Mayor on the 2019 U.S. Department of Housing and Urban Development (HUD) Palm Beach County Continuum of Care (CoC) Planning Project Grant Application, for the period October 1, 2020 through September 30, 2021, in the amount of \$168,918, for the coordination of planning activities related to ending homelessness;

B) ratify the signature of the Mayor on the Certification of Consistency with Consolidated Plan Form 2991;

C) ratify the signature of the Mayor on the 2019 Homeless Management Information System (HMIS) Implementation Grant Application, for the period October 1, 2020 through September 30, 2021, in the amount of \$281,530, to increase HMIS capacity, enhance training, improve data quality monitoring, and analyze data to improve the CoC system service delivery; and

D) delegate to the County Administrator or designee signatory authority on additional forms and any other necessary documents related to the 2019 HUD CoC Planning Project Grant Application and the 2019 HMIS Implementation Grant Application.

SUMMARY: The Palm Beach County CoC Planning Project Grant will provide funding for the coordination and evaluation of activities related to ending homelessness. These activities involve coordination of monthly CoC meetings and sub-committee meetings, administration of HMIS, annual preparation of HUD CoC grant application, and technical assistance and monitoring of local grant recipients. A 25% cash match of \$42,230 is required and is included in the FY 2020 budget. The 2019 HMIS Implementation Grant will increase capacity, integrate data management systems in order to improve delivery of medical and housing services, and coordinate service delivery and quality management systems through improved data infrastructure for homeless HIV-positive clients to improve health outcomes. A 25% In-kind match of \$70,383 is required and will be provided through staff salaries. The emergency signature process was utilized because there was insufficient time to submit this application through the regular agenda process. (The Division of Human and Veteran Services) Countywide (HH)

3. Staff recommends motion to receive and file: a Contract for Provision of Services with Catholic Charities of the Diocese of Palm Beach, Inc. (Catholic Charities), for the three year period July 1, 2019, though June 30, 2022, in an amount not to exceed \$372,000, for the provision of homeless prevention services. **SUMMARY:** The Division of Human and Veteran Services received Unified Homeless Grant Agreement (IP004) to provide emergency financial assistance to at-risk families facing the loss of their housing due to a financial crisis. This is a three year grant. The County subcontracted with Catholic Charities, for an amount not to exceed \$372,000. Catholic Charities will provide homeless prevention services through case management, financial assistance with rent/mortgage and utility payments. These services will assist at-risk families from becoming homeless and remain stably housed. During FY 2016-2018, financial assistance was provided to 307 households, which remain stably housed, by assisting with rent, mortgage and utility payments. Under the new contract, approximately 72 households annually will be served with financial assistance to pay their rent/mortgage and/or utilities that is past due. All funds must be expended no later than June 30th of each state fiscal year. An in-kind match of \$124,000 will be provided annually by Catholic Charities. On July 2, 2019, the Board of County Commissioners authorized the County Administrator or designee to execute contracts for this purpose. 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.** (The Division of Human and Veteran Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. Staff recommends motion to ratify: the signature of the Mayor on the Ryan White Part A HIV Emergency Relief Grant Program application with the U.S. Department of Health and Human Services (DHHS), Health Resources Services Administration (HRSA), for the period of March 1, 2020 through February 28, 2021, in the amount of \$7,744,006, for new and existing programs to continue improving health outcomes for clients with HIV/AIDS. **SUMMARY:** The Ryan White Part a HIV Emergency Relief Grant Program application in the amount of \$7,744,006 was submitted to HRSA on September 26, 2019. The application highlights the need to maintain a total of 16 core medical and support service categories that are currently provided. Some of the services provided under the grant are medical case management, medical care, pharmaceutical assistance, oral health care, substance use disorder treatment, legal support services, outpatient ambulatory services, health insurance premium assistance and food bank home delivered meals, with additional funding requested for psychosocial support services for racial/ethnic minority persons living with HIV/AIDS. The Grant Year (GY) 2020 application requests an overall increase of \$368,762 from the prior grant year, allowing the Community Services Department to extend services to approximately 360 additional Palm Beach County residents. In GY 2018, 3,573 clients were served. HRSA released the application guidance with instructions to return by September 30, 2019. The emergency signature process was utilized because there was insufficient time to submit this item through the regular agenda process. **No County match is required.** (Ryan White Program) Countywide (HH)

F. AIRPORTS

1. Staff recommends motion to:
 - A) receive and file** Federal Aviation Administration (FAA) Grant Agreement Number 3-12-0113-018-2019 in the amount of \$743,198 to conduct Environmental Study at North Palm Beach County General Aviation Airport (F45);
 - B) approve** a budget amendment of \$743,198 in the Airport's Improvement and Development Fund to recognize the receipt of grant funding from the FAA, and the appropriation of local funds from the reserves in the amount of \$82,578 for a total budgeted project cost of \$825,776; and
 - C) approve** Amendment No. 1 to the contract with Environmental Science Associates (ESA) in the amount of \$825,776 for the preparation of an Environmental Assessment (EA) for the proposed extension of Runway 14-32 (formerly Runway 13-31) at F45.

SUMMARY: This grant begins on September 24, 2019 and expires on September 23, 2023. The Grant Agreement provides for a 10% match of the total project costs of \$825,776. Delegation of authority for execution of the above standard form Grant Agreement was approved by the BCC on October 3, 2006 (R2006-2086). Phase 1 of the contract with ESA for the preparation of an EA for the proposed extension of Runway 14-32 at F45 was approved by the Board on September 12, 2017 (R2017-1306) in the amount of \$88,789. This contract was the first phase of a multi-phase contract to provide the initial elements of the EA to the Department of Airports. Approval of Amendment No. 1 will initiate Phase 2 of the EA and will provide an additional \$825,776 to complete the federally required environmental review of the project. ESA is a San Francisco, CA based firm; however, the majority of the work to be completed in this contract will be completed and/or managed out of their Southeast Regional Office in Orlando, Florida in conjunction with several Palm Beach County-based subconsultant firms. A Disadvantaged Business Enterprise (DBE) goal of 13% was set for this contract. ESA committed to 15% DBE participation in their proposal. The DBE participation for Amendment No. 1 is 41.3%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to approve:** a negotiated settlement offer in the amount of \$9,000 for the full satisfaction of a code enforcement lien that was entered against Fish Farm, LLC on March 15, 2018. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an Order on August 2, 2017 for property owned by Fish Farm, LLC giving them until October 1, 2017 to bring their property located at Western Way into full code compliance. The property had been cited for installing a fence around the property without first 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 Fish Farm, LLC on March 15, 2018. The Code Enforcement Division issued an affidavit of compliance for the property on June 7, 2019 stating that as of May 29, 2019 the cited code violations had been fully corrected. The total accrued lien amount on June 30, 2019, the date on which settlement discussions began, totaled \$30,292.98. Fish Farm, LLC has agreed to pay Palm Beach County \$9,000, (30%) for full settlement of their outstanding code enforcement lien. District 3 (SF)

2. **Staff recommends motion to approve:** a negotiated settlement agreement in the amount of \$13,300 for the full satisfaction of a Code Enforcement lien that was entered against Summit Center, LLC on June 11, 2012. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an Order on February 1, 2012 for property owned by Summit Center LLC giving them until March 17, 2012 to bring their property located on 5161 Jaczko Ln, Bldg 3 into full code compliance. The property had been cited for repairing structural damage to floorboards in one of the buildings without first obtaining required building permits and obtaining a final inspection. 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 Summit Center LLC on June 11, 2012. The Code Enforcement Division issued an affidavit of compliance for the property on February 14, 2018 stating that as of February 8, 2018 the cited code violations had been fully corrected. The total accrued lien amount through August 28, 2019, the date on which settlement discussions began, totaled \$122,474.30. CF Florida Owner LLC, the current owner has agreed to pay Palm Beach County \$13,300 and will completely reroof 6 of the 11 units in the apartment rental complex at a projected cost of \$138,450 by January 31, 2020, in exchange for the full satisfaction of Summit Center, LLC's outstanding code enforcement lien that remains attached to the property. District 2 (SF)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET (Cont'd)

3. Staff recommends motion to approve: the reappointments to Seats No. 2, 4 and 5 to the Investment Policy Committee, each for a three year term.

A) reappoint to Seat No. 2

<u>Nominee</u> Ned Roger Nashban	<u>Term</u> 10/1/19 - 9/30/22	<u>Nominated By</u> Mayor Bernard Commissioner Weiss Commissioner Weinroth Commissioner McKinlay
--	---	---

B) reappoint to Seat No. 4

<u>Nominee</u> Stephen H. Freilich	<u>Term</u> 10/1/19 - 9/30/22	<u>Nominated By</u> Mayor Bernard Commissioner Weiss Commissioner Weinroth Commissioner McKinlay
--	---	---

C) reappoint to Seat No. 5

<u>Nominee</u> Mark A. Parks, Jr.	<u>Term</u> 10/1/19 - 9/30/22	<u>Nominated By</u> Mayor Bernard Commissioner Weiss Commissioner Weinroth Commissioner McKinlay
---	---	---

SUMMARY: The Investment Policy Committee is comprised of seven members, with four being at-large appointments by the Board of County Commissioners (BCC), one being a representative appointed by the Sheriff, a member appointed from OFMB by the County Administrator, and the Chair being a member of the BCC, currently Commissioner Valeche. The three-year term of the incumbent BCC appointees expired on September 30, 2019, which ends the second of three, three-year terms. The three incumbents desire to be reappointed, thereby creating one vacancy with their reappointments. Of the seats currently filled, four are white males (66%), one black male (17%) and one white female (17%). Countywide (DB)

K. WATER UTILITIES

1. Staff recommends motion to approve: Work Authorization (WA) No. 21 to the Pipeline Continuing Construction Contract 2017 (Contract) with Hinterland Group Inc. (Hinterland) for the Utility Relocation along Hamlin Blvd; Indian Trail Culvert Improvement Project (Project) in the amount of \$242,699.20. **SUMMARY:** On January 10, 2017, the Board of County Commissioners approved the Water Utilities Department (WUD) Contract (R2017-0072) with Hinterland. WA No. 21 provides for the relocation of an existing 12-inch water main and 8-inch force main at four locations along Hamlin Blvd., between 180th Avenue North and Seminole Pratt Whitney Road. The existing pipes are in conflict with a canal culvert improvement project by the Indian Trail Improvement District. 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 15% SBE participation. Work Authorization No. 21 includes 100% SBE participation. The cumulative SBE participation including WA No. 21 is 100%. Hinterland is a Palm Beach County company. The Project is included in the WUD FY20 budget. (WUD Project No. 19-075) District 6 (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) approve a contract for Consulting/Professional Services (Contract) with the University of Florida Board of Trustees for an amount not to exceed \$36,220 providing for statistical analysis and reporting of surface water quality data, beginning on November 1, 2019 and expiring July 31, 2020; and

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

SUMMARY: The Contract will provide critical statistics to investigate spatial and temporal trends of water quality parameters for the period between May 1, 2009 and April 30, 2019 (10 water years) within the Lake Worth Lagoon (LWL) Watershed. The data will be correlated with flow and rainfall data to better identify the movement of nutrients and other parameters through the watershed prior to discharge into the LWL. The data and analyses will be included to address specific action plans within the ongoing LWL Management Plan update. **Contract costs in the amount of \$36,220 are covered through the County Pollution Recovery Trust Fund.** Countywide (SS)

X. PUBLIC SAFETY

1. Staff recommends a motion to:

A) receive and file executed State-Funded Grant Agreement for Hazardous Materials Planning and Prevention Program (T0024) with the State of Florida, Division of Emergency Management (FDEM) for the period of July 1, 2019 through June 30, 2020, in the amount of \$21,021; and

B) approve a budget amendment of \$15,182 in the Emergency Management Grant Fund to adjust the budget to the actual grant award.

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

3. CONSENT AGENDA APPROVAL

CC. INTERNAL AUDITOR

1. Staff recommends motion to receive and file:

A) Audit report reviewed by the Audit Committee at its September 18, 2019 meeting as follows:

1. 19-06 Public Safety – *Florida Department Of Highway Safety and Motor Vehicles Memorandum of Understanding*
2. 19-07 Planning, Zoning & Building – *Florida Department Of Highway Safety and Motor Vehicles Memorandum of Understanding*
3. 19-08 Fire Rescue – *Human Resources Management*
4. 19-09 Parks & Recreation – *Aquatics*

B) Audit Risk Assessment and Work Plan for FY 2020.

SUMMARY: County Code Section 2-260.16 requires the Internal Audit Committee to review audit reports prior to issuance. County Code Section 2-463 requires the County Internal Auditor to send those reports to the Board of County Commissioners. At its September 18, 2019 meeting, the Committee reviewed and authorized distribution of the attached audit reports, as well as the Audit Risk Assessment and Work Plan for FY 2020. We are submitting these reports to the Board of County Commissioners as required by the County Code. Countywide (DB)

3. CONSENT AGENDA APPROVAL

DD. OFFICE OF EQUAL BUSINESS OPPORTUNITY

- 1. Staff recommends motion to approve: the appointment of the following individual to the Equal Business Opportunity Advisory Committee (EBOAC) to complete the term of the board member who resigned.

<u>APPOINTMENT</u>	<u>SEAT #</u>	<u>DESIGNATION</u>	<u>TERM</u>	<u>NOMINATED BY</u>
Jerry Steinberg	6	Business Incubator Program	11/05/19 to 06/16/22	Vice Mayor Kerner Comm. Valeche Comm. Weinroth

SUMMARY: The EBOAC is established pursuant to Section 2-80.28(f) of the Palm Beach County Code. The Committee consists of 15 members representing one African American business owner certified as a small business by the County; one Hispanic business owner certified as a small business by the County; one woman business owner certified as a small business by the County; one white male business owner certified as a small business by the County; one business owner domiciled in Palm Beach County; one representative of a business incubator program; one representative of the Hispanic business organization; one representative of the National Association of Women in Construction; one representative of a Women’s Business Organization; one certified minority contractor; one representative of the Associated General Contractors of America; one representative of the Small Business Development Center; one representative of a financial institution that assists small businesses; one representative of the Black Chamber of Commerce; and one representative of a professional services organization. The Committee supports the nominations and a memo was sent to the Board of County Commissioners on September 26, 2019 requesting approval of the recommendation. No other nominations were received. The Committee seat terms are for three years, and the Committee reviews and evaluates the effectiveness of equal business opportunity programs within County Government. Of the 15 members, the current diversity count is: Caucasian: 6 (40%), African American: 6 (40%), and Hispanic: 3 (20%). The gender ratio is (female:male) 8:7. Mr. Steinberg is a Caucasian male. Countywide (DB)

* * * * *

4. REGULAR AGENDA

A. COMMUNITY SERVICES

1. Staff recommends motion to approve: three full-time equivalent grant-funded positions for Peer Specialists (PG15) for the Division of Human and Veteran Services (Division) in the amount of \$149,007 annually. **SUMMARY:** Homelessness issues continue to increase in John Prince and Phil Foster parks. The current waiting list for services at the homeless resource center is 225 persons. The Community Services Department, in collaboration with the Parks and Recreation Department, continue to work together to identify solutions, such as the successful Parks to Work program. A major need identified is the need for additional trained Peer Specialists. The Peer Specialists will maintain a presence in both parks. These positions will be supervised by the Division Homeless Outreach Team Supervisor. Peer Specialists are persons with lived experience and are in recovery. The State of Florida provides a certification exam to ensure Peer Specialists are trained and qualified to provide outreach services. The Peer Specialists will assist homeless individuals with sheltering, diversion, family reunification and other needs. Peer Specialists offer a level of acceptance, understanding and validation not found in other professional relationships and are instrumental in helping the homelessness take concrete steps towards building new lives. The Division has identified funding for the new positions from the Community Development Block Grant, through an inter-departmental agreement with the Department of Housing and Economic Sustainability. The grant-funded positions will be for the length of the grant and will be eliminated if funding is discontinued. **No County Funds are required.** (Division of Human and Veteran Services) Countywide (HH)

2. **ADD-ON:** Staff recommends motion to approve: a budget transfer in the amount of \$130,000 from the General Fund-Contingency Reserves to the Division of Human and Veteran Services (DHVS), for the provision of emergency housing services provided to clients of The Jerome Golden Center for Behavioral Health, Inc. (Jerome Golden Center) that face possible loss of stable housing. **SUMMARY:** In early September 2019, staff was advised that the Jerome Golden Center, a major provider of publicly funded behavioral health services in Palm Beach County, was filing for bankruptcy. In the weeks following this notification, it was announced that the Jerome Golden Center had accepted an offer for a full asset sale of all its associated properties to an unnamed for-profit organization. It is expected that this sale will leave an enormous void in the behavioral health continuum of care. Among the properties included in the sale are two residential properties, collectively containing 55 apartments housing individuals with severe and persistent mental illness (47 are occupied). In addition to these properties, the Jerome Golden Center also provides case management to 40 scattered sites housing units. The total number of housing units under the direction of Jerome Golden is 131. The City of West Palm Beach has amended their contract with the Palm Beach County Housing Authority to place 44 Housing Opportunities for Persons with AIDS clients and has added an additional five client slots to transition facility based clients. Staff is requesting \$130,000 from the contingency reserves to ensure that 40 units for the most vulnerable clients continue to be operational and allow those housed clients to remain stable through this transition. In addition, the U.S. Department of Housing and Urban Development (HUD) contract is ending in May of 2020 and will sunset at that time. DHVS has to transition 31 clients before expiration. This request covers two months of rental and utility costs for 31 HUD funded clients and also nine clients funded through the County until September 2022. The breakdown of requested ad valorem funds will be \$40,861 for a contract with a partner agency that the County is working on finalizing for that agency to begin paying these rents as of December 1, \$10,000 for internal staff costs to administer the program short term, and \$79,139 which will be used to cover the lapse in HUD funding while their agreement is transitioned to the County from Jerome Golden and to pay rents for clients until the partner agency contract is in place. County staff will be working with HUD in an effort to recoup the funds expended on that agreement during the transition period. The contract with a partner agency will be presented to the board at an upcoming meeting. Countywide (HH)

4. REGULAR AGENDA

B. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to:

A) approve a HOME Investment Partnerships Program (HOME) funding award of up to \$500,000 to New Urban Community Development Corporation, Inc. (NUCDC) for the Henrietta Townhomes project;

B) direct staff to negotiate the HOME funding agreement; and

C) delegate authority to the County Administrator, or designee, to execute the agreement, amendments thereto, and all other related documents necessary for implementation of the project.

SUMMARY: Staff recommends Board of County Commissioners' (BCC) approval of a HOME award of up to \$500,000 to NUCDC for the Henrietta Townhomes project (Project) for the refinancing of existing debt on the property. The Project is an 11-unit rental property located at 1301 Henrietta Avenue in West Palm Beach. The Project was developed in 2009 with the following funding: 1) a loan of \$650,000 from the Florida Community Loan Fund; 2) a cash flow dependent loan of \$978,759 in HOME funds from the City of West Palm Beach; and 3) a conditional grant of \$687,096 from the County, consisting of \$337,096 in HOME funds and \$350,000 in State Housing Initiatives Partnership (SHIP) Program funds. The County's affordability restrictions extend through April 12, 2030 and require nine units to be affordable to renters with incomes not exceeding 80% of Area Median Income (AMI) and two units to be affordable to renters with incomes not exceeding 50% of AMI. For several years, the Project has experienced a deficit in its operating budget for which NUCDC has had to secure subsidy from external sources. The situation is untenable, however, and the property is at risk of foreclosure and loss from the County's affordable housing stock. Staff proposes to preserve and stabilize the Project by taking out the existing mortgage held by Florida Community Loan Fund, which has a remaining principal balance of approximately \$500,000. This recommended award of \$500,000 in HOME funds will be structured with terms, which the Project can support. Underwriting to a 1.15 debt coverage ratio indicates that the Project can support repayment of \$250,000 at a 1% interest for 30 years. The \$250,000 balance would be provided as a zero-interest conditional loan that would be forgiven in its entirety at satisfactory conclusion of an affordability period that extends 30 years from closing. As a precondition to the closing on the new loan, the NUCDC will be required to fund a replacement reserve account for repairs and maintenance of the units. Requirements associated with the County's existing HOME/SHIP conditional grant will remain in place. Staff is currently working with the City of West Palm Beach to modify its current loan on the Project and to subordinate to the County's first mortgage, if approved. The proposed HOME award is contingent on Project approval from the U.S. Department of Housing and Urban Development. **These are federal HOME Program grant funds that require a local match provided by the State Housing Initiatives Partnership Program.** District 7 (HJF)

4. REGULAR AGENDA

C. FACILITIES DEVELOPMENT AND OPERATIONS

1. **Staff recommends motion to authorize:** the County Administrator or designee to execute Amendment No. 1 to the contract (R2018-112) with All-Site Construction Inc. in an amount not to exceed \$400,000 for the Supervisor of Elections (SOE) Interior Renovations project. **SUMMARY:** In preparation for the upcoming election cycle, the SOE will hire additional temporary staff in order to support the elections process. The new temporary staff will be grouped at the SOE Administration Facility in order to provide critical training in an efficient manner. The construction management scope of services to be incorporated in this guaranteed maximum price (GMP) amendment include modifications to add new modular work stations, two offices, upgrade the entry door for greater compliance with the Americans with Disabilities Act (ADA), new electrical wiring for the work stations, and a new lobby service counter. On August 14, 2018, the Board approved the continuing contract with All-Site Construction Inc. to provide construction management services for projects associated with Palm Beach County's Emergency Operations Center (EOC), Four Points Facility and SOE Facility. Authority is being requested to execute the GMP amendment prior to the next Board of County Commissioners (BCC) meeting in order to make accommodations for the additional temporary staff at the Supervisor of Elections Facility in preparation for the upcoming election cycle. The County Attorney's approval of the Work Order will be secured prior to the Work Order being approved. The Work Order will be submitted as a receive and file item after it is executed. The Construction Manager (CM) was selected pursuant to the Small Business Enterprise (SBE) Ordinance but this GMP having been initiated after January 1, 2019, is subject to the requirements of the Equal Business Opportunity Ordinance. The continuing CM contract was presented to the Goal Setting Committee on February 20, 2019 and an Affirmative Procurement Initiative of 20% SBE participation was applied. The CM is a minority business enterprise. To date the CM has achieved 100% SBE participation. **Funding for this project is from the Public Building Improvement Fund.** (Capital Improvements Division) Countywide/ District 2 (LDC)

2. **Staff recommends motion to approve:** the addition of one Assistant Director and one Contracts Manager position to the complement of Facilities Development & Operations (FDO)/Capital Improvements Division (CID). **SUMMARY:** On June 7, 2017, Palm Beach County Board of County Commissioners approved contract R2017-0773 with Jacobs Project Management Co. (Jacobs) for the provision of program and project management services for the General Government Capital Program (GGCP) which includes the Infrastructure Sales Tax (IST) Program and traditional 5 year Capital Improvement Plan. The contract also provided for additional contract staff to join FDO/CID's effort in managing the increased quantity of capital projects that resulted from addressing the existing GGCP project backlog through the IST initiative. For the past three fiscal years, this combined operational framework that provides for Jacobs staff working alongside CID staff has proven effective in adequately positioning CID to manage the increased project workload that resulted from the IST program. Contract expenditures have remained within the originally estimated 5-year value. Currently, CID has over 400 open projects and for the past two fiscal years, an average of 30 additional projects have been received on a monthly basis. Notwithstanding the increase in CID operational forces resulting from the Jacob's project management staff, the Division lacks mid-management positions, which results in the Division Director directly supervising 17 staff members having varying responsibilities and dissimilar functions across the paygrade spectrum. This operational framework has proven inadequate, undermining the Division's ability to manage its heavy workload. Two new positions are required mid-year to address the operational challenge. Impact in FY20 is \$103,124. (CID) Countywide (LDC)

4. REGULAR AGENDA

D. COUNTY ATTORNEY

1. Staff recommends motion to commence: a private attorney-client session in the case of In re: National Prescription Opiate Litigation, case number: MDL 2804 (N.D. Ohio) and Palm Beach County v. Purdue Pharma, et al., case number: 1:18-op-46121-DAP (N.D. Ohio), during the Board of County Commission meeting on November 5, 2019 at 12:00 pm, in the Thomas McEaddy Conference Room, 301 North Olive Avenue, 12th Floor, West Palm Beach, Florida. The following persons will attend the meeting with the members of the Board of County Commissioners who are present at that time: Verdenia Baker, County Administrator; Denise Marie Nieman, County Attorney; David Ottey, Chief Assistant County Attorney; Kim Phan, Assistant County Attorney; James L. Ferraro, outside counsel; Paul Napoli, outside counsel; and Janpaul Portal, outside counsel. Pursuant to Section 286.011(8), Florida Statute, the entire attorney-client session shall be recorded by a certified court reporter who shall record the discussion and proceedings, the names of all persons present at any time, and the names of all persons speaking. No portion of the session shall be off the record. The court reporter's notes shall be fully transcribed and filed with the clerk and shall be made part of the public record upon conclusion of the pending litigation. **SUMMARY:** The Board will discuss settlement negotiations. Countywide (DO)

* * * * *

NOVEMBER 5, 2019

5. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

NOVEMBER 5, 2019

6. MATTERS BY THE PUBLIC – 2:00 P.M.

* * * * *

7. ADJOURNMENT

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