

BOARD OF COUNTY COMMISSIONERS  
BOARD MEETING  
PALM BEACH COUNTY, FLORIDA

ADDITIONS, DELETIONS, & SUBSTITUTIONS

FEBRUARY 11, 2020

<u>PAGE</u>	<u>ITEM</u>	
30	5C-1	<p><b>REVISED MOTION AND SUMMARY: Staff recommends motion to approve:</b> an extension of time to commence construction <del>from January 31, 2020</del> until March 31, 2020 and complete construction by April 30, 2020 in connection with the Governmental Center Lease Agreement with LJL Food Management, Inc., d/b/a The Hideout Kitchen &amp; Café. <b>SUMMARY:</b> On July 25, 2019 (R2019-1059) the Board approved the Governmental Center Lease Agreement with LJL Food Management, Inc., d/b/a The Hideout Kitchen and Café (Café). The agreement requires Café to spend \$130,000 on improvements including new HVAC, electrical, walk-in-cooler, cabinetry, countertops, flooring and fire sprinkler upgrades. Prior to applying for a building permit, Café is required to provide a detailed permit ready set of plans and specifications to staff for review and approval. Café is also required to post a bond for the cost of the improvements and complete those improvements within six months (January 31, 2020). On November 12, 2019 Café provided plans for review. On December 4, 2019, staff provided Café with comments and requested revisions. On December 30, 2019, Café agreed to the revisions and requested approval of the plans with conditions rather than revise the plans. <u>On January 10, 2020, staff provided conditional consent to proceed contingent upon Board approval of this extension. At the February 4, 2020, Board meeting, the Board postponed consideration of the extension pending demonstrated progress by Café toward obtaining the required permits and commencing construction. Café still has to submit their plans to the City and obtain a building permit. At this point the Café is going to be unable to complete construction by the January 31, 2020 deadline.</u> Staff recognizes that navigating through the design, permit and construction process is complicated, and recommends Café be given an extension until March 31, 2020 to commence construction and to complete construction by April 30, 2020. (Property &amp; Real Estate Management) <u>Countywide</u> (HJF) (FDO)</p>

**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**

**FEBRUARY 11, 2020**

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

**COMMISSION  
CHAMBERS**

- 1. CALL TO ORDER**
  - A. Roll Call
  - B. Invocation
  - C. Pledge of Allegiance
- 2. AGENDA APPROVAL**
  - A. Additions, Deletions, Substitutions
  - B. Adoption
- 3. CONSENT AGENDA (Pages 5-25)**
- 4. PUBLIC HEARINGS - 9:30 A.M. (Page 26)**
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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to:

**A) approve** a contract with Spirit of Giving Network, Inc. (Contract) in an amount not to exceed \$100,000 for professional services to assist with planning, purchase of school supplies, and implementation of the 2020 Back to School PBC! (Event) for the period beginning February 24, 2020 through November 1, 2020; and

**B) authorize** advance payments to Spirit of Giving Network, Inc. (Agency) of up to \$50,000 toward the purchase of school supplies.

**SUMMARY:** This Contract provides a not to exceed amount of \$100,000 to the Agency to assist in the implementation of the 2020 Back to School PBC!, f.k.a. the Palm Beach County Back to School Bash (Bash). The Event provides school supplies, backpacks, a health fair and access to community resources to Palm Beach County students in need from Kindergarten through 12th grade enrolled in the public or charter school system. The Event is an annual initiative now planned, funded and implemented by the Office of Community Revitalization in partnership with County departments, the Agency, the Children Services Council of Palm Beach County, and a collaboration of several community based organizations and volunteers. To participate in the Event, students must be referred by one of the agencies of the collaborative, be registered prior to June 15, 2020 and be given a personal invitation to the Event. Participating referral agencies, municipalities, and community groups and/or organizations are required to contribute funding and/or in kind services toward the Event implementation. In accordance with the Contract, up to \$50,000 of the \$100,000 from the County may be paid in advance to the Agency to use for the purchase of school supplies. Countywide (HH)

2. Staff recommends motion to authorize: the County Administrator or designee to participate in the 2020 Leadership in Energy and Environmental Design (LEED) for Cities and Communities Grant Program and complete required grant agreements, LEED registration, and LEED certification, should the County be selected. **SUMMARY:**

LEED is the most widely used green building rating system in the world, and LEED has recently expanded to include local governments. LEED for Cities and Communities measures a local government's resiliency and sustainability across categories including natural systems and ecology, transportation and land use, water efficiency, energy and greenhouse gas emissions, materials and resources, and quality of life. The 2020 LEED for Cities and Communities Grant Program, supported by Bank of America, will award up to 20 U.S. local governments technical assistance to apply for LEED Certification that include:

- Certification registration and review fee waivers, saving the County \$20,000;
- One annual United States Green Building Council (USGBC) Silver membership;
- Access to a benchmarking performance platform;
- A two-day, in-person orientation workshop for two local government officials/staff;
- Online education resources, project management tools, and monthly calls; and
- A dedicated USGBC staff liaison for programmatic and technical support.

Grantees will commit to registering their community by March 1, 2020, sending two representatives including one staff member and one elected official or county leader to Washington, D.C. in March 2020 for a two-day workshop, applying for LEED certification, and providing staff time to gather necessary data. Approval of this item advances Palm Beach County's commitment to and leadership in resiliency and sustainability. Should the County be selected, staff recommends that the County participate in the grant program, with the Office of Resilience acting as project manager and coordinator for LEED Certification. Countywide (RPB)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

3. Staff recommends motion to approve: two League of Cities appointments to the Water Resources Task Force (WRTF) for the remainder of a three year term commencing February 11, 2020 and ending September 30, 2021.

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Seat Representative</u>	<u>Term</u>
5	Rachelle Litt	Member	League of Cities	2/11/20 – 9/30/21
5	Myra Koutzen	Alternate	League of Cities	2/11/20 – 9/30/21

**SUMMARY:** This appointment is to reassign Myra Koutzen from the Seat No. 5 member to alternate and reassign Rachelle Litt from the Seat No. 5 alternate to member. The WRTF is comprised of a total of 28 representatives (14 members and 14 designated alternates for each seat). The 14 seats are as follows: six city elected officials; one County Commissioner (or their appointee); one water and/or wastewater provider or utility official; one Lake Worth Drainage District representative; one drainage/water control district elected official; one South Florida Water Management District Governing Board member; one environmental representative; one land owner in Palm Beach County actively farming that land to represent agricultural interests; and one Indian Trail Improvement District (ITID) representative. The diversity of the current ten WRTF members and four alternates is as follows: 14 Caucasian (100%). The gender ratio (female:male) is 4:10. Both League of Cities appointees being recommended are Caucasian females. The environmental representative, agricultural representative, water/wastewater provider or utility official and drainage/water control district elected official member seats and ten alternate seats remain vacant at this time. Staff is actively seeking to increase diversity on this board. Countywide (MJ)

B. CLERK & COMPTROLLER

1. **Staff recommends motion to receive and file:** Warrant List – Backup information can be viewed in the Clerk & Comptroller’s Office.
2. Staff recommends motion to receive and file: change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during May 2018. Countywide
3. Staff recommends motion to approve: Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. Countywide

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to adopt: a resolution abandoning any public interest in a 15 foot wide drainage easement being the north 7.50 feet of Lot 407 and the south 7.50 feet of Lot 408; and a 15 foot wide drainage easement being the north 7.50 feet of Lot 413 and the south 7.50 feet of Lot 414 (Abandonment Sites), as shown on the plat of Arden P.U.D. Pod A West and Pod B West, recorded in Plat Book 122, Pages 136 through 148, inclusively, Public Records of Palm Beach County (County). **SUMMARY:** Adoption of this resolution will eliminate the public dedication that is in conflict with future redevelopment plans by Lennar Homes LLC (Petitioner). The Petitioner has requested that the County clear this encumbrance to allow for each of the abandonment sites to be replaced with a 12 foot drainage easement which, according to Uniform Land Development Code Article 11.E.4.G.3, is the minimum width to accommodate stormwater management facilities. The abandonment site is located 0.7 miles north of State Road 80 and 2.4 miles west of Lion Country Safari Road. District 6 (YBH)
  
2. Staff recommends motion to:  
  
**A) adopt** a resolution to approve a highway maintenance memorandum of agreement (HMMOA) with the Florida Department of Transportation (FDOT) for the installation of video detection cameras and equipment at multiple intersections within Palm Beach County (County) right-of-way (ROW) and FDOT ROW (Project); and  
  
**B) approve** the HMMOA with the FDOT for the Project.  
  
**SUMMARY:** Adoption of this resolution and approval of the HMMOA will support the FDOT's installation of video detection cameras at multiple intersections throughout the County, to enhance traffic signal operations by upgrading the devices used to detect vehicular traffic. The Project will be completed by FDOT and will be constructed in County ROW and FDOT ROW. The HMMOA is required to provide authority to the FDOT to construct the Project within County's ROW. Construction shall be funded by FDOT at an estimated cost of \$839,569.97. Upon completion of the Project, maintenance of the project shall be the responsibility of the County. Districts 1, 2, 3, 6 & 7 (YBH)
  
3. Staff recommends motion to approve: an annual guardrail contract with Southeast Highway Guardrail & Attenuators, LLC (Southeast) in an amount not to exceed \$1,245,000. **SUMMARY:** Approval of this contract will provide for construction of guardrail on an as needed basis. A waiver of affirmative procurement initiatives was approved by the Office of Equal Business Opportunity on April 23, 2019. The waiver was granted based upon the determination that sufficient qualified Small Minority Women Business Enterprises providing the goods or services required by the contract are unavailable in Palm Beach County despite every reasonable attempt to locate them. Southeast is a Palm Beach County based company. The SBE percentage proposed by the vender was 0%. This contract will be in effect for 12 months from the date of approval by the Board of County Commissioners and may be extended for a defined period of time, not to exceed 36 months total contract time. Countywide (YBH)

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: a settlement agreement, inclusive of attorney's fees and costs, in the total amount of \$60,000 in the personal injury action styled Stephen LaCroix v. Palm Beach County, Case No. 502017CA001099XXXMB AO. **SUMMARY:** This is a personal injury lawsuit arising from a rear end collision involving an employee who drove a Palm Tran bus into the rear of plaintiff's vehicle. Plaintiff sustained a neck injury which resulted in surgery. Countywide (SCL)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to approve: Amendment 001 to Standard Agreement No. IP019-9500 (R2019-1836) for the Emergency Home Energy Assistance Program (EHEAP) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period October 1, 2019 through September 30, 2020, to replace portions of the standard agreement to provide home energy assistance to seniors. **SUMMARY:** EHEAP is funded by the U.S. Department of Health and Human Services via AAA and provides emergency home energy assistance for seniors. The amendment is necessary to incorporate changes made to the standard agreement. EHEAP services are provided to seniors aged 60 and older experiencing a home energy emergency. Seniors who are unable to pay their electric bills can receive financial assistance up to twice a year, once during the heating season (October – March) and once during the cooling season (April – September). Under the current contract, 264 seniors received services and 136 more seniors are estimated to be served by the end of the contract period. An approximate total of 400 seniors will receive energy payment assistance services. The Division of Senior Services (DOSS) is responsible for providing services north of Hypoluxo Road. The areas of service include all of the districts, excluding portions of Districts 3, 4, 5 and 7 south of Hypoluxo Road. The Mae Volen Senior Center, Inc. is responsible for providing services in the areas south of Hypoluxo Road. Sufficient funding is included in the current budget to meet County obligations. **No additional funds are required for this amendment.** (Division of Senior Services) Countywide, except for portions of Districts 3, 4, 5 & 7 south of Hypoluxo Road (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to:

**A) receive and file** the U.S. Department of Housing and Urban Development (HUD) Youth Homelessness Demonstration Grant Agreement, for a period to be established by the funder, in an amount up to \$147,970, to support the development of a coordinated community plan to prevent and end youth homelessness in Palm Beach County;

**B) approve** two full-time equivalent (FTE) grant-funded positions for a Program Evaluator (Pay Grade 34) and a Contract Analyst (Pay Grade 36); and

**C) approve** a budget amendment in the amount of \$147,970 in the Housing and Urban Development Fund, to align the budget to the grant award.

**SUMMARY:** On August 20, 2019, the Board of County Commissioners (BCC) approved the 2018 HUD Youth Homelessness Demonstration Project Grant Application, which made available approximately \$75,000,000 nationwide for existing Continuum of Care (CoC) Program recipients to apply for funding. The Palm Beach County CoC was awarded \$4,932,359 to help prevent and end youth homelessness. The Division of Human and Veteran Services will receive up to 10% of the \$4,932,359 award for planning costs. This award is part of the 10% allowance; additional funds will be allocated by HUD at a later date. HUD requires an additional agreement in order for CoC Program recipients to use a portion of the awarded funding toward planning costs. The Youth Homelessness Demonstration Grant Agreement allows for the coordination of planning activities related to preventing and ending youth homelessness. The grant agreement will fund two new grant funded positions, which include a Program Evaluator (Pay Grade 34) and a Contract Analyst (Pay Grade 36). These positions will have the responsibility of creating and supporting activities of the Youth Action Board, as well as implementing, evaluating and facilitating the work of the grant agreement. The grant-funded positions will be for the length of grant and will be eliminated if funding is discontinued. A 25% in-kind match of \$36,993 is required and is included in the FY 2020 Division of Human and Veteran Services operation budget. **No additional County funds are required.** On August 20, 2019, the BCC authorized the County Administrator, or designee, to execute additional documents related to the 2018 HUD Youth Homelessness Demonstration Project Grant Application. 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. (Division of Human and Veteran Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends motion to approve:

**A)** Memorandum of Understanding (MOU) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period February 1, 2020 through January 31, 2025, to coordinate services, help avoid duplication of assistance and to increase the quality of services to elderly participants; and

**B)** Memorandum of Agreement (MOA) with the City of Lake Worth Utilities (CLWU), for the period February 1, 2020 through January 31, 2025, to provide utility services to eligible participants.

**SUMMARY:** The Low-Income Home Energy Assistance Program (LIHEAP) Federally Funded Subgrant Agreement No. 17EA-0F-10-60-01-023 (R2017-0996) requires that the Community Action Program (CAP) have both a MOA with a local energy vendor and a MOU with the service area Emergency Home Assistance for the Elderly Program (EHEAP) provider. Under the current EHEAP contract, 264 seniors received services and 136 more seniors are estimated to be served by the end of the contract period. An approximate total of 400 seniors will receive energy payment assistance services. The State of Florida, Department of Economic Opportunity awarded CAP \$12,390,978 in LIHEAP funds for the period of April 1, 2017 through March 31, 2020. LIHEAP funding allows CAP to assist low-income households experiencing a home energy emergency. The MOU with AAA will help avoid duplicate crisis assistance payments during the same heating and cooling season by allowing CAP employees to check EHEAP records. The MOA with CLWU will allow CAP to process payments on behalf of low-income clients, therefore, avoiding disconnection of services for eligible participants. In FFY 2018, energy services were prevented from disconnection or restored, through LIHEAP, to a total of 7,879 households. **No County funds are required.** (Community Action Program) Countywide (HH)

F. AIRPORTS

1. Staff recommends motion to approve: the Second Amendment (Amendment) to Fixed Base Operator Lease Agreement with Gulfstream Product Support Corporation, a Delaware corporation (Gulfstream) (R2017-0281) (Lease), providing for an extension to the lease commencement date from December 31, 2019 to May 31, 2020, and an extension to a construction deadline to provide airfield access to additional property. **SUMMARY:** Gulfstream is constructing building and hangar space for the operation of an aircraft maintenance, repair and operation facility at the Palm Beach International Airport (PBI). Due to delays in construction, including impacts from Hurricane Dorian, Gulfstream requested an extension of the lease commencement date from December 31, 2019 to May 31, 2020. Extension of the commencement date will delay collection of rental by approximately 5 months, but will not modify the total rental to be paid to the County over the term of the Lease. The Lease provides that the County would seek grant funding for the modification of the E-3½ Canal to provide airfield access to approximately 5.77± acres of unimproved ground to the west, for expansion of Gulfstream's leasehold; however, the funding has been delayed. Gulfstream agreed to lease the additional property if airfield access was made available on or before December 31, 2021. The Amendment provides for extension of the deadline to provide airfield access to December 31, 2022, to provide the County with additional time to complete construction. Countywide (HJF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. Staff recommends motion to approve: the Third Amendment (Amendment) to Amended and Restated Fixed Base Operator Lease Agreement (Lease) (R2016-0759) with Galaxy Aviation of Lantana, Inc. d/b/a Stellar Aviation of South Palm Beach (Stellar), providing for reimbursement of water and sewer charges in the amount of \$65,272 and monthly water and sewer charges applicable to Fire Station 35 of approximately \$1,565.18 per month. **SUMMARY:** In July 2017, the County entered into a contract with West Construction, Inc. (R2017-9035), for various airside and landside improvements at the Palm Beach County Park Airport (Lantana Airport), which included utility infrastructure improvements. As a result of the project, it was discovered that Fire Station 35, which is located on the Lantana Airport, is not separately metered by the utility provider for the provision water and sewer services, and Stellar has been paying for the monthly utility services for Fire Station 35. The construction cost to directly connect Fire Station 35 to water and sewer services has been estimated to exceed \$600,000, exclusive of engineering costs. Rather than requiring a separate connection, Stellar has agreed to invoice the Fire Rescue Department (Fire Rescue) for water and sewer costs based on estimated consumption volumes for comparable fire stations in Palm Beach County. The anticipated monthly cost for water and sewer services for Fire Station 35 is \$1,565.18 per month based on current utility rates established by the City of Lake Worth, which will be payable on a quarterly basis. The Amendment also provides that Fire Rescue will reimburse Stellar in the amount of \$56,375 for historical costs incurred by Stellar for water and sewer services from the commencement of the Lease. The Department of Airports will also reimburse Stellar \$8,897 for a temporary increase base facility charges resulting from the County's construction project. The County may elect to install a separate, direct connection to water and sewer services at any time during the Lease. Countywide (HJF)

3. Staff recommends motion to approve:

**A)** an Emergency Contract with Stewart & Stevenson FDDA LLC d/b/a Florida Detroit Diesel-Allison (FDDA), a Delaware limited liability company, for the replacement of a diesel engine in a standby power generator at the Palm Beach International Airport (PBI) for a total not to exceed amount of \$532,183.26; and

**B)** a budget transfer of \$532,183.26 in the Department of Airports Improvement and Development Fund including a transfer from Reserves in the amount of \$532,183.

**SUMMARY:** One of the two standby generators servicing the terminal building at PBI suffered a catastrophic failure requiring the replacement of a diesel engine. The standby generators provide backup power for critical life safety systems, including security and lighting systems, in the event of a power failure. A secondary temporary generator has been put in place in the event of a failure of the remaining primary generator. An insurance claim has been submitted, which is anticipated to fully cover the cost of the temporary generator as well as the cost of replacement of the engine. The generator is no longer in production, requiring the engine to be manufactured. FDDA, the only authorized distributor in Florida, refused to enter into a contract for the manufacture and replacement of the engine without the inclusion of a limitation on liability. The Emergency Contract provides for a limitation of liability to the contract amount of \$532,183.26 in the event of a contract default by FDDA and for a general limitation of liability of \$1,000,000. Staff recommends approval of this Emergency Contract to ensure that the generator is back in service as soon as possible, but no later than hurricane season, and to mitigate additional costs associated with the temporary generator in the event the cost is not fully recovered. The Risk Management Department and the County Attorney's Office have been consulted and concur with staff's recommendation. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to receive and file: the Quarter Ending 12-31-2019 information for Children's Services Council of Palm Beach County. **SUMMARY** The Children's Services Council has submitted their Quarter Ending 12-31-2019 information as per Section 125.901, Florida Statutes. Countywide (DB)
2. Staff recommends motion to approve: a negotiated settlement offer in the amount of \$5,000 for the full satisfaction of a code enforcement lien that was entered against Trevor Sookhoo & Archana Madnani on February 2, 2017. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an Order on November 2, 2016 for the property owned by Trevor Sookhoo and Archana Madnani giving them until January 31, 2017 to bring their property located at 23281 Liberty Bell Terrace, into full code compliance. The property had been cited for installing a room addition 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 Trevor Sookhoo and Archana Madnani on April 11, 2017. The Code Enforcement Division issued an affidavit of compliance for the property stating that the cited code violations had been corrected as of August 29, 2019. The total accrued lien amount through December 12, 2019, the date on which settlement discussions began, totaled \$47,015.80. Mr. Sookhoo has agreed to pay Palm Beach County \$5,000, (11%) for full settlement of their outstanding code enforcement lien. District 5 (SF)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: Work Order No. 20-006 to the annual Heating, Ventilation, and Air Conditioning (HVAC) contract with Cedars Electro-Mechanical, Inc. (Contractor) (R2020-0019) in the amount of \$224,743 for the Governmental Center Air Handler Unit #6N Replacement project for the period of 90 days from permit issuance or until project is complete. **SUMMARY:** The work consists of furnishing the labor, equipment, and materials needed to remove the existing air handler unit # 6N, which is more than 30 years old and is at the end of its useful life, and replace it with a comparable sized new air handler unit. In addition, the contractor is responsible for replacing air dampers, variable frequency drives, direct digital controls and cleaning the ducts. 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. On August 21, 2019, the Goal Setting Committee applied Affirmative Procurement Initiatives (API) of sheltered market for projects under \$100,000 (when four or more 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 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 a certified SBE and submitted 98.7% SBE participation on this work order. The overall SBE participation on the annual HVAC contract is 76.66%. The Contractor is a Palm Beach County business. **Funding for this project is from the Public Building Improvement Fund.** (Capital Improvements Division) District 7 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to approve: Work Order No. 20-007 to the annual Heating, Ventilation, and Air Conditioning (HVAC) contract with Cedars Electro-Mechanical, Inc. (Contractor) (R2020-0019) in the amount of \$220,159 for the Governmental Center Air Handler Unit #3N Replacement project for the period of 90 days from permit issuance or until project is complete. **SUMMARY:** The work consists of furnishing the labor, equipment, and materials needed to remove the existing air handler unit # 3N, which is more than 30 years old and is at the end of its useful life, and replace the unit with a comparable sized new air handler unit. In addition, the contractor is responsible for replacing air dampers, variable frequency drives, direct digital controls and cleaning the ducts. 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. On August 21, 2019, the Goal Setting Committee applied Affirmative Procurement Initiatives (API) of sheltered market for projects under \$100,000 (when four or more 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 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 a certified SBE and submitted 98.5% SBE participation on this work order. The overall SBE participation on the annual HVAC contract is 81.38%. The Contractor is a Palm Beach County business. **Funding for this project is from the Public Building Improvement Fund.** (Capital Improvements Division) District 7 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

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

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
A) All-Site Construction Inc.	Local	S/MBE
B) Andrea Construction, Inc.	Local	SBE
C) Anzco, Inc.	Local	SBE
D) Clean Air Restoration, Inc. dba Chandler Construction Company	Local	Non- SBE
E) DCOTA Contracting, Inc.	Local	S/MBE
F) Hatcher Construction & Development, Inc.	Local	S/MBE
G) Hufcor, Inc.	Non- Local	Non-SBE
H) J. Rawn Enterprises, Inc.	Local	SBE
I) Joe Schmidt Construction, Inc.	Local	Non-SBE
J) One Call Florida, Inc.	Local	SBE

**SUMMARY:** The purpose of this annual contract is to pre-qualify contractors to provide minor construction services. The work consists of construction services associated with repairs, improvements and renovations to County properties. The specific requirements of the work shall be determined by individual work orders issued against this annual contract. These contracts are five year indefinite-quantity contracts with a maximum cumulative value of \$5,000,000. Work is to be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors (currently ten have pre-qualified) and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least ten days before the bid due date. This annual contract was presented to the Goal Setting Committee on August 21, 2019. The Committee applied the following three Affirmative Procurement Initiatives: 1) sheltered market for projects under \$100,000; or 2) a small business enterprise (SBE) contractor will be given a price preference if their bid is within 10% of the lowest non-small business bid on a single trade project over \$100,000; or 3) a mandatory 25% SBE subcontracting goal for a multi-trade project over \$100,000. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for each work order issued. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to approve: an annual contract with the following contractor for demolition services on an as-needed basis through April 9, 2023.

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

**SUMMARY:** On December 15, 2018, the Board approved the annual demolition contract. The work consists of demolition services on an as needed basis. The contractor now joins the list of ten already prequalified contractors for a total of 11 with a contract expiration date of April 9, 2023. The specific requirements of the work shall be determined by individual work orders issued against this annual contract. These contracts are five year indefinite-quantity contracts with a maximum cumulative value of \$500,000 across all prequalified contractors. Work is to be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors (currently 11 have pre-qualified) and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least ten days before the bid due date. The demolition annual contract was presented to the Goal Setting Committee on January 2, 2019 and the committee established Affirmative Procurement Initiatives of sheltered market for projects under \$100,000 (when at least four SBE are qualified under the annual contract) or a Small Business Enterprise (SBE) contractor will be given a price preference if their bid is within 10% of the lowest non-small business bid. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for each work order issued. Current cumulative S/M/WBE participation for all work orders to-date under the Demolition Annual is 91.54%. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. Staff recommends motion to approve: Amendment No. 14 to the continuing Construction Management (CM) contract with Robling Architecture Construction Inc., (R2016-0762) in the amount of \$250,690 for the Palm Beach Sheriff Office (PBSO) Headquarters Real Time Crime Lab Heating, Ventilation and Air Conditioning (HVAC) project establishing a Guaranteed Maximum Price (GMP) for construction management services for a period of 90 days from notice to proceed. **SUMMARY:** The work to be completed under proposed Amendment No. 14 consists of mechanical and electrical work for two additional air handling systems and associated mechanical rooms and is a portion of the work otherwise included in the PBSO Headquarters Renewal/Replacement/Renovations (PBSO HQ R/R/R Project). PBSO has expanded and re-configured the Real Time Crime Lab and the addition of two HVAC units will add cooling capacity to the space creating the required operating environment for the equipment and adjacent staff areas. This work was originally included in the scope of work for the PBSO HQ R/R/R Project, but is being completed early, as a separate project, in order to support the expanded Real Time Crime Lab. On June 21, 2016, the Board of County Commissioners approved the continuing CM contract with Robling Architecture Construction Inc. for construction management services for capital projects under \$2,000,000. The continuing CM contract was awarded 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 Construction Manager is an SBE. 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 to the contract. SBE participation on this Amendment is 79.41%. To date the Construction Manager has achieved 38.14% SBE subcontracting participation under its continuing contract. The Construction Manager is a Palm Beach County business utilizing all local subcontractors. **The funding source for this project is the Infrastructure Sales Tax Fund.** (Capital Improvements Division) District 2 (LDC)
  
6. Staff recommends motion to approve: Amendment No. 15 to the continuing Construction Management (CM) contract with Robling Architecture Construction Inc., (R2016-0762) in the amount of \$890,012 for the Water Utilities Department (WUD) Southern Regional Operations Center (SROC) Roof and Exhaust Fan Replacement project establishing a Guaranteed Maximum Price (GMP) for Construction Management Services for a period of 180 days from notice to proceed. **SUMMARY:** The existing roof at WUD SROC is more than 20 years old, experiences leaks and requires increased maintenance. Amendment No. 15 includes removing the flat roof system of six existing buildings, replacing them with new built-up roofing systems, adding a mechanical exhaust system and new roof drains. Additionally, the project includes replacing the existing cement tile mansard roof at Control Building #24 with a new metal roofing system. The new roofing systems will eliminate the need for frequent and costly roof repairs. On June 21, 2016, the Board of County Commissioners (BCC) approved the continuing CM contract with Robling Architecture Construction Inc. for construction management services for capital projects under \$2,000,000. The continuing CM contract was awarded 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 Construction Manager is an SBE. 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 to the contract. SBE participation on this Amendment is 28.71%. To date the Construction Manager has achieved 37.50% SBE subcontracting participation under its continuing contract. The Construction Manager is a Palm Beach County business utilizing all local subcontractors. **The funding source for this project is from the Water Utilities Department Operation & Maintenance Fund.** (Capital Improvements Division) District 5 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. Staff recommends motion to approve: Amendment No. 16 to the continuing Construction Management (CM) contract with Robling Architecture Construction Inc., (R2016-0762) in the amount of \$1,984,971 for the Water Utilities Department (WUD) Southern Regional Operations Center (SROC) Building Improvements project establishing a Guaranteed Maximum Price (GMP) for Construction Management Services for a period of 365 days from notice to proceed. **SUMMARY:** The existing SROC building's windows, heating, ventilation and air conditioning (HVAC) system and interior finishes are more than 20 years old and have outlived their useful life. The windows and storefronts are not hurricane rated and after 20 years, the current layout no longer meets SROC operational needs. Approval of Amendment No. 16 will allow for repairs and renovations to the SROC building to include, but not be limited to: hurricane hardening, installation of impact windows, painting, a new HVAC air handler unit, replacement of fixtures, and interior renovation and modifications to the existing facility. The changes requested will improve an outdated configuration of office space, improve air circulation, and hurricane harden the facility. On June 21, 2016, the Board of County Commissioners (BCC) approved the continuing CM contract with Robling Architecture Construction Inc., for construction management services for capital projects under \$2,000,000. The continuing CM contract was awarded 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 Construction Manager is an SBE. 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 to the contract. SBE participation on this Amendment is 52.19%. To date the Construction Manager has achieved 39.42% SBE subcontracting participation under its continuing contract. The CM is a Palm Beach County business. **The funding source for this project is the Water Utilities Department Operation & Maintenance Fund.** (Capital Improvements Division) District 5 (LDC)
  
8. Staff recommends motion to approve: an Amended and Restated Interlocal Agreement (Agreement) with the Port of Palm Beach (Participant) to allow for direct access to the County's Public Safety Radio System (System) for a period of five years from February 11, 2020 through February 10, 2025. **SUMMARY:** This Agreement provides the terms and conditions under which the Participant can directly access the System. This Agreement is intended to terminate and replace Interlocal Agreement (R2017-0871) between County and Participant. The terms of this Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies where connection through an established municipal hub is not technically feasible. The Participant has been interoperable with the County's System since 2005. The annual fees are consistent with those being charged to the County Departments. In addition, the Participant is required to pay all costs associated with Participant's subscriber units and to comply with the established operating procedures for the System. This Agreement provides for an initial term of five years with two renewal options, each for a period of five years. This Agreement may be terminated by either party, with or without cause, on October 1<sup>st</sup> of any year, with a minimum of six months' notice. (ESS) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

9. Staff recommends motion to approve: an Amended and Restated Interlocal Agreement (Agreement) with the Town of Manalapan (Municipality), allowing for interoperable communications through the countywide common talk groups of the County's Public Safety Radio System (County's System) to the Municipality for a period of five years from February 11, 2020 through February 10, 2025. **SUMMARY:** This Agreement provides the terms and conditions under which the Municipality can program into its radios and utilize the countywide common talk groups for certain types of inter-agency communications. This Agreement terminates and replaces the Interlocal Agreement (R2003-1698) between County and Municipality, amended by First Amendment R2008-2313, by Second Amendment R2013-1165 and by Third Amendment R2018-1868, and adds the procedure to be followed to obtain a Federal Shared Encryption Key for direct radio interoperability with Federal Agencies. The County's System will not be utilized for routine operational communications by the Municipality. The terms of the Agreement are standard and have been offered to all municipalities and local branches of state and federal agencies and ambulance service providers with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. The Municipality is required to pay all costs associated with Municipality's subscriber units and to comply with the established operating procedures for the County's System. This Agreement provides for an initial term of five years with two renewal options, each for a period of five years. This Agreement may be terminated by either party, with or without cause, upon ten days prior written notice to the other party. (ESS) Countywide (LDC)
  
10. Staff recommends motion to approve: an agreement with Air Methods Corporation International, a corporation licensed to do business in the State of Florida (Participant) allowing for interoperable communications through the countywide and EMS common talk groups of the County's 800 MHz Radio System for a period of five years from February 11, 2020 through February 10, 2025. **SUMMARY:** This Interlocal Agreement (Agreement) provides the terms and conditions under which the Participant can program into its radios and utilize the countywide and EMS common talk groups for certain inter-agency communications. The Participant is being permitted such use because it has contracted with the St. Lucie County Fire District to provide Advanced Life Support and Emergency Medical Services. The Participant will only be able to access the common talk groups for specified types of communications and will conduct routine operational communications on its own radio system. The terms of the Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies and ambulance service providers with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement, but the Participant is required to pay all costs associated with Participant's subscriber units and to comply with the established operating procedures for the System. The Agreement may be terminated by either party, with or without cause. The term of the Agreement is for five years or until the expiration or termination of the Certificate of Public Convenience and Necessity associated with Participant, whichever comes first. There are two renewal options, each for a term of five years. (ESS) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

11. Staff recommends motion to approve: a fifth amendment to Lease Agreement with Tallman, LLC, (R2007-0395) for the County's continued use of 4,990 SF of indoor secured vehicle storage space for the Palm Beach County Sheriff's Office from March 29, 2020 through September 30, 2020, and thereafter to continue on a month to month basis, until terminated at an annual rate of \$84,000 (\$7,000/month). **SUMMARY:** Since March 29, 2007, the County has leased 4,990 SF of indoor storage and 6,000 SF of paved outdoor storage within the Murphy/Sister's Towing Complex located at 6907 Southern Boulevard in unincorporated Palm Beach County for the operation of both indoor and outdoor secured vehicle storage for PBSO. On March 12, 2013 (R2013-0271), the Board approved the fourth amendment to the Lease Agreement which deleted the 6,000 SF outdoor storage area and extended the term of the Agreement to March 28, 2018, with two extension options each for a period of one year. The Lease Agreement expires on March 28, 2020. This fifth amendment extends the term of the Lease Agreement from March 29, 2020 through September 30, 2020, and thereafter, continues on a month to month basis. This fifth amendment also updates and adds various County standard provisions. The annual rent will remain at \$84,000 (\$7,000/monthly). PREM will continue to have administrative responsibility for this Agreement. (Property & Real Estate Management) District 6 (HJF)

K. WATER UTILITIES

1. Staff recommends motion to approve: a 2019 Pipeline Continuing Construction Contract (Contract) with Johnson–Davis Incorporated (Contractor) for a three year term in the amount of \$13,797,132.75. **SUMMARY:** On May 23, 2019, Water Utilities Department (WUD) received six bids for the Contract. The Contractor was determined to be the lowest responsive and responsible bidder. The second lowest bidder, Centerline Utilities, Inc. (Centerline) filed a Bid Protest on August 12, 2019, claiming that the bid submitted by Contractor was an unbalanced bid and contesting that Centerline's bid was non-responsive because a subcontractor was not certified at the time of bid opening. On November 18, 2019, the Assistant Director of Purchasing recommended the bid protest be denied and no further actions were taken by Centerline. The Contract will provide the necessary services to expedite utility special assessment projects and other pipeline improvement projects throughout WUD's service area where timing is critical. The Contract award is for the unit bid prices received and overall bid dollar amount of \$13,797,132.75 was utilized to establish the unit prices for work under this Contract. The Contract does not guarantee or authorize Contractor to perform any work. Work will be assigned during a three year period by Work Authorizations drawn against the Contract, subject to approval pursuant to the requirements of PPM CW-F-050. The unit prices contained in the Contract will be used to determine the amount of each Work Authorization. The Contract was presented to the Goal Setting Committee on April 3, 2019, and a minimum mandatory 20% SBE subcontracting goal was the Affirmative Procurement Initiative (API) applied to this Contract. The Contractor has met the established API for this Contract. The Contract provides for 20.07% SBE participation. Contractor is a Palm Beach County Company. (WUD Project No. 19-040) Countywide (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. Staff recommends motion to approve:

**A)** a contract with Stantec Consulting Services Inc., (Consultant) for Capital Improvement Plan Program Management; and

**B)** Consultant Services Authorization (CSA) No.1 for Program Management and Implementation Services (Project) for a not to exceed amount of \$4,096,238.

**SUMMARY:** The contract will provide consulting/professional services to assist with the implementation of the Water Utilities Department (WUD) 2020-2025 Capital Improvement Plan (CIP). The five year CIP includes new capital projects and repair and replacement projects that are being developed as part of the WUD Asset Management Program. The water/wastewater infrastructure improvement projects included in the CIP have an estimated value in excess of \$275 million. The contract has a term of three years with two one year renewal options. Under CSA No. 1 Consultant will provide the resources needed to support the implementation of CIP projects for one year. The Consultant will provide services throughout the project life cycle of water, wastewater and reclaimed water treatment and transmission projects in the areas of delivery, controls, permitting, communications, and asset management. The contract was presented to the Goal Setting Committee on March 20, 2019, and a minimum mandatory 20% 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 this contract. The Consultant has met the established APIs for this Contract. The contract provides for 25% SBE participation which includes 25% M/WBE participation, 22% MBE (B) and 3% WBE. CSA No. 1 includes 26.35% SBE participation, 24.42% MBE (B) and 1.92% WBE. Consultant is a New York registered U.S. company whose parent company is domiciled in Canada. Most members of the Consultant project team will be co-located with WUD staff at the Central Region Operations Center from which the majority of the work required by CSA No. 1 will be undertaken. The Project is included in the WUD FY20 budget. (WUD Project No. 19-028 Contract and WUD Project No. 20-010 CSA No. 1) Countywide (MJ)

3. Staff recommends motion to approve: a Termination Agreement and Mutual Release (Agreement) with Midas SouthEast, LLC (Midas). **SUMMARY:** On June 18, 2019, the Board of County Commissioners approved the Water Utilities Department Continuing Construction Contract for the Lift Station Rehabilitation 2018 (Contract) (R2019-0852) with Midas to provide construction services over a 24-month term in the amount of \$5,367,566.88, with the option of one 12-month renewal. Since the Contract approval date, no Work Authorizations have been issued due to Midas' inability to provide the County with documents required to become a registered vendor with the County. On October 29, 2019, Midas provided correspondence to WUD requesting voluntary termination of the Contract due to Midas not being able to secure the acceptable documentation and perform the construction services pursuant to the terms of the Contract. The County has mutually agreed to release the bond related to the Contract. In addition, Midas agrees not to submit a bid, proposal, or any other response to any Initiation for Bids, Request for Proposals, or other procurement issued by the County for two years following the effective date of this Agreement. (WUD Project No. 18-032R) Countywide (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

4. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 7 to the Consulting/Professional Services for Wastewater Engineering Services Contract (Contract) with Brown and Caldwell (Corporation), (Consultant) for the Western Region Wastewater Treatment Facility (WRWWTF) Operations Building Evaluation (Project) for a not to exceed amount of \$165,758.68. **SUMMARY:** On June 20, 2017, the Board of County Commissioners (BCC) approved the Water Utilities Department (WUD) Contract (R2017-0813) with Consultant. CSA No. 7 provides for professional engineering services to evaluate the feasibility of replacing the existing Operations Building at WRWWTF as an alternative to implementing improvements to address deficiencies in the existing Operations Building. 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 by the 2002 SBE Ordinance was 15% overall participation. The Contract provides for 26% SBE participation. CSA No. 7 includes 22.18% SBE participation. The cumulative SBE participation is 21.80%. Consultant is headquartered in Raleigh, North Carolina but maintains an office in Palm Beach County from which the majority of the work will be undertaken. The Project is included in the WUD FY20 budget. (WUD Project No. 20-004) District 6 (MJ)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve: Task Order No. 1542-01 to Contract (R2019-1542) with Aptim Environmental & Infrastructure, LLC (APTIM) in an amount not to exceed \$202,198.42 providing for sea turtle monitoring services during the 2020 sea turtle nesting season beginning March 1, 2020 and ending December 31, 2020. **SUMMARY:** The Board of County Commissioners approved the Contract with APTIM, a Palm Beach County company, on October 8, 2019 (R2019-1542). Task Order No. 1542-01 authorizes APTIM to manage permit-required sea turtle monitoring activities in association with the South Lake Worth Inlet Sand Transfer Plant Reconstruction Project, the Ocean Ridge Shore Protection Project, and the Singer Island Dune Restoration Project. The task order is funded by tourist development taxes and is eligible for cost sharing from the Florida Department of Environmental Protection. The Contract requires the consultant to adhere to 20% mandatory Small Business Enterprise (SBE) subcontracting goal as the Affirmative Procurement Initiative. APTIM agreed to 25% SBE participation. The subcontractor identified to perform on this task order is an SBE with participation that equates to 96.4% of the task order. Districts 1 and 4 (YBH)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to:

**A) approve** a contract for Consulting/Professional Services (Contract) between Palm Beach County and Inwater Research Group, Inc. (IRG) for sea turtle monitoring in an amount not to exceed \$32,924.80, commencing upon execution and expiring April 1, 2021; 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 provides for a continuation of monitoring and assessment of sea turtle populations in northern Lake Worth Lagoon (LWL), and Jupiter Inlet by IRG, a not-for-profit corporation based in Martin County. IRG is an organization that focuses on conservation efforts of key coastal species through unique in-water sampling and data collection techniques. IRG conducted the first ever in-water assessment of sea turtles in LWL in 2005, and has continued to assess populations and collect data utilized for management strategies related to restoration and enhancement efforts within the lagoon and adjacent waterways. The LWL Management Plan recommends assessing sea turtle populations as a means of evaluating the success of environmental restoration efforts and overall lagoon health. District 1 (SS)

3. Staff recommends motion to:

**A) approve** a Non-Exclusive Easement Agreement for Construction Access and Staging (Agreement) with the Town of Jupiter (Town) to facilitate the South Jupiter Dune Restoration Project (Project); and

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

**SUMMARY:** The Agreement provides construction access from State Highway A1A to the Project shoreline for dune restoration and maintenance activities as depicted on the attached Project Overview Map. The Agreement carries a term of 50 years and includes dune restoration in an area designated by the Florida Department of Environmental Protection as "critically eroded". Dune restoration reconstructs past dune profiles and stabilizes the sand with native dune vegetation. Easement agreements are required for construction access to the beach and dune areas within the Project limits. **There is no cost to the County.** District 1 (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

4. Staff recommends motion to:

**A) receive and file** Florida Inland Navigation District (FIND) Project Agreement No. PB-19-207 for the Lake Worth Inlet Flood Shoal Dredging Phase I (Project) in an amount of \$140,000. The agreement term is December 9, 2019 through September 30, 2021; and

**B) approve** a budget amendment of \$70,000 in the Environmental Enhancement Non-Specific Fund (1225) to recognize revenues from FIND Project Agreement No. PB-19-207.

**SUMMARY:** On March 12, 2019, the Board of County Commissioners (Board) approved submittal of a Waterways Assistance Program (WAP) Grant Application to the Florida Inland Navigation District (R2019-0328) to fund up to \$140,000 for the Project. Delegated authority to execute the grant project agreement was approved at that time. The deadline for spending the grant is September 30, 2021. On April 2, 2019, the Board approved a Memorandum of Agreement (MOA) (R2019-0446) establishing a partnership between the County and the Marine Industries Association of Palm Beach County, Inc. (MIAPBC) for the planning, design and permitting costs associated with the Project. Delegated authority to sign all future time extensions, task assignments, certifications, and other forms associated with the MOA was approved by the Board at that time. The total cost for the Project is \$336,000 which will be funded with \$140,000 in WAP funds and \$98,000 each from MIA and the County's Environmental Enhancement Non-Specific Fund. A \$70,000 budget amendment is needed to increase the project budget to \$238,000 which includes the \$140,000 in WAP funds. 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. Districts 1 & 7 (SS)

S. FIRE RESCUE

1. Staff recommends motion to approve: Agreement Relating to Clinical Field Experience with each of the following entities for the period February 11, 2020 through February 10, 2023:

**A)** Barry University, Inc.; and

**B)** HCI Acquisition LLC, a/k/a Health Career Institute LLC, d/b/a HCI College.

**SUMMARY:** These agreements allow Palm Beach County Fire Rescue to provide clinical field experience to Paramedic and EMT students of Barry University, Inc. and HCI College that are enrolled in these programs. Paramedic and EMT students will respond with County paramedics to observe and assist in delivering emergency medical care under actual emergency conditions. This clinical field experience is a component of the Paramedic and EMT training required for State certification, and will enhance the available job pool of qualified personnel. Countywide (SB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to:

**A) rescind** Interlocal Agreement R2013-0308.1;

**B) approve** the replacement Interlocal Agreement providing updated contract terms for network services with the City of Boynton Beach; and

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

**SUMMARY:** The City of Boynton Beach has an existing Interlocal Agreement with Palm Beach County (R2013-0308.1) for network services. The County recommends rescinding the existing agreement and replacing it with a new agreement for a period of one year with four automatic one-year renewals unless notice is given by either party. This new Interlocal Agreement includes updated contract terms to provide network services to the City of Boynton Beach. The Florida LambdaRail, LLC has approved connection of the City of Boynton Beach to the Florida LambdaRail network. District 3 (DB)

X. PUBLIC SAFETY

1. Staff recommends motion to receive and file: the following executed Second Amendments with the Fifteenth Judicial Circuit Court (Court) which will extend the contract periods from December 31, 2019 through June 30, 2020:

**A) Second Amendment to Agreement for Expert Psychological or Professional Services in Adult and/or Juvenile Criminal Matters, Agreement # R2017-1383; and**

**B) Second Amendment to Agreement for Expert Psychological or Professional Services in Guardianship/Examining Committee Matters, Agreement # R2017-1384.**

**SUMMARY:** The Court has contracted with the Division of Justice Services to provide court ordered forensic evaluations and testimony through Justice Services Court Psychology Office. Seniors, adults, teens and children throughout the county are directed to the Court Psychology Office with the appropriate court order, outlining which specific evaluation is required. The scope of services provided in each agreement includes competency and psychological evaluations for adult and juvenile criminal matters, psychological evaluations for child welfare and family court cases, and appointment as an examining committee member relating to guardianship matters. These agreements compensate the County's Court Psychology Office for the contractual services provided to the Court. The State of Florida is in the process of revising/updating the language of all their contracts. The first amendment extended the contract to December 31, 2019 to allow time for the contract revisions. The contract revisions have not been finalized; therefore, another extension was requested. R2005-0792 authorizes the County Administrator or her designee to sign agreements to provide psychological services to the Fifteenth Judicial Circuit Court. Countywide (SF)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

- 2. Staff recommends motion to approve: reappointment of one nominee to Consumer Affairs Hearing Board (CAHB) for the term of February 11, 2020 to September 30, 2022 as follows:

<u>Seat</u>	<u>Reappointment</u>	<u>Seat Requirement</u>	<u>Nominated by</u>
2	George Kinoshita	Resident	Mayor Kerner Vice Mayor Weinroth Comm. Valeche Comm. McKinlay

**SUMMARY:** The Consumer Affairs Ordinance was approved by the Board of County Commissioners (BCC) on December 17, 2013, and codified in Chapter 9, Article I of the Palm Beach County Code. The Consumer Affairs Ordinance established a seven member CAHB. The CAHB serves in both an advisory capacity to the BCC and as an Appeals Hearing Board to hear and act on consumer concerns about unfair/deceptive business practices and appeals relating to the towing, vehicle for hire, moving, home caregiver, adult entertainer, water taxi, and consumer affairs ordinances. Members are selected from various businesses, professions and the general public. Members terms are for three years with a limit of three consecutive terms. A memo was sent to the BCC on November 25, 2019 seeking nominations for the above at-large seat. The CAHB has seven members with seat number two expired as of September 30, 2019. The nominee is a reappointment of an Asian male who has agreed to serve another term. With the reappointment of this seat, the CAHB will have seven seats filled. The CAHB will have a diversity count as follows: Caucasian: 4 (57%), Asian: 2 (29%), and African American: 1 (14%). The gender ratio (male: female) will be 7:0. Countywide (JW)

CC. INTERNAL AUDIT

- 1. Staff recommends motion to receive and file: Audit recommendation status follow-up report as of November 15, 2019. **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 meeting on December 11, 2019, the Committee reviewed and authorized distribution of the Audit Recommendation Status Follow-up Report as of November 15, 2019. We are submitting this report to the Board of County Commissioners as required by the County Code. Countywide (DB)

\* \* \* \* \*

4. PUBLIC HEARINGS – 9:30 A.M. (Motion to receive and file: Proof of publication)

A. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to adopt: a resolution abandoning any public interest in the embankment easement (Abandonment Site) recorded in Official Records Book 12248, Page 962, over a parcel of land in Section 28, Township 45 South, Range 42 East, being a portion of Tract 25, Block 55, Palm Beach Farms Plat No. 3, recorded Plat Book 2, Page 45, all of the Public Records of Palm Beach County (County). **SUMMARY:** Adoption of this resolution will eliminate the public interest in this abandonment site which will no longer be needed once the Amicus Medical Center at 10234 Hagen Ranch Road is developed. The abandonment site is located approximately 1/4 mile south of Boynton Beach Boulevard on the east side of Hagen Ranch Road. Amicus Realty Holdings LLC (Property Owner) has provided a check to the County in the amount of \$23,625, representing the original County acquisition amount. The Engineering Department has determined that once the medical center is developed, the abandonment site will be surplus and will serve no present or future public purpose. An easement over the entire abandonment site will be held in escrow until the medical center is developed. District 5 (YBH)

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5. REGULAR AGENDA

A. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve: the revised Impact Fee Affordable Housing Assistance Program (IFAHAP) Guidelines. **SUMMARY:** The IFAHAP makes impact fee interest earnings available to developers to offset impact fees due on new housing construction. In return, the developers accept restrictions that ensure affordability to households with incomes no greater than 140% of Area Median Income. Housing and Economic Sustainability offers the IFAHAP assistance through a Notice of Funding Availability (NOFA). The proposed revisions to the IFAHAP Guidelines intend to reduce the incidence of projects that do not meet deadlines and ultimately fail to utilize the IFAHAP assistance. The proposed revisions: 1) enhance NOFA application criteria to result in selection of projects that are most ready to proceed; 2) eliminate the requirement to obtain building permits within one year of the award of IFAHAP assistance; 3) increase from one year to two years the allowable timeframe for a developer to utilize the IFAHAP assistance; and 4) make minor corrections and alterations. Following BCC approval, PPM CW-F-036, Impact Fee Affordable Housing Assistance Program, will be revised to make departmental operating procedures consistent with changes to the Guidelines. The revised guidelines will apply to all future IFAHAP awards and retroactively to all IFAHAP awards that have not yet expired. Countywide (HJF)
  
2. Staff recommends motion to conceptually approve: an Economic Development Incentive for Project Jacobson in the form of a cash grant in an amount not to exceed \$1,900,000 over a period of ten years and an ad valorem tax exemption in an amount not to exceed \$400,000 over a period of ten years. **SUMMARY:** Project Jacobson is contemplating locating a manufacturing facility in Belle Glade. The company will invest \$45.5 Million to purchase approximately 85 acres of land as well as construct and equip a 140,000 square foot facility. Project Jacobson will create 200 new jobs over a five year period at an annualized average wage of \$38,000 and an annualized median wage of \$33,000. The estimated five-year economic impact is \$272 Million. Martin County and the State of Texas are also competing for Project Jacobson. Palm Beach County will provide an Economic Development Incentive for Project Jacobson in the form of a cash grant in an amount not to exceed \$1,900,000 over a period of ten years and an ad valorem tax exemption in an amount not to exceed \$400,000 over a period of ten years. The Incentive recommendation is based on the project's location in Belle Glade, where the unemployment and poverty rates are high. The company will be required to enter into a formal agreement memorializing its commitments and establishing terms under which the incentive will be disbursed. The company name will be disclosed at such time. District 6 (DB)

5. REGULAR AGENDA

A. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to:

**A) approve** a HOME Investment Partnerships Program (HOME) award of \$550,000 to HTG Banyan, LLC;

**B) approve** a HOME award of \$1,000,000 to McCurdy Senior Housing Corporation;

**C) approve** a HOME award of \$500,000 to HTG Heron Estates Family, LLC;

**D) approve** a HOME award of \$185,000 to the Community Land Trust of Palm Beach County, Inc.;

**E) approve** a HOME award of \$315,672 to Habitat for Humanity of Palm Beach County, Inc. and Habitat Housing Solutions, Inc.;

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

**G) authorize** the County Administrator or designee to execute the loan agreements, amendments thereto, and all other documents necessary for project implementation.

**SUMMARY:** On September 29, 2019, the Department of Housing and Economic Sustainability (DHES) issued Request for Proposals HES.2019.1 (RFP) making available \$2,550,672 in Federal HOME funding for loans to developers of affordable housing. Funding was from the following HOME Fiscal Years: FY 2016-2017, FY 2017-2018, FY 2018-2019, and FY 2019-2020. A selection committee consisting of five voting members met at a public meeting held on December 18, 2019, and recommended funding for five projects:

**1)** \$550,000 permanent loan to HTG Banyan, LLC, (an affiliate of developer Housing Trust Group, LLC) to construct Flagler Station, a 94-unit multifamily rental project, including ten HOME-assisted units, located at 951 Banyan Boulevard in West Palm Beach;

**2)** \$1,000,000 permanent loan to McCurdy Senior Housing Corporation to construct Quiet Meadows, a 132-unit senior and disabled multifamily rental project, including 20 HOME-assisted units, located at 306-350 SW 10<sup>th</sup> Street in Belle Glade;

**3)** \$500,000 permanent loan to HTG Heron Estates Family, LLC, (an affiliate of developer Housing Trust Group, LLC) to construct a 79-unit townhome style rental project, including ten HOME-assisted units, located at 2003 W. 17<sup>th</sup> Court in Riviera Beach;

**4)** \$185,000 conditional loan to the Community Land Trust of Palm Beach County, Inc., to construct two HOME-assisted single family homes located at 3974 Dale Road in Palm Springs; and

**5)** \$315,672 interim loan to Habitat for Humanity of Palm Beach County, Inc. and Habitat Housing Solutions, Inc. to construct three HOME-assisted single-family homes located at 540 SW 8<sup>th</sup> Street in Belle Glade, 205 S. Barfield Highway in Pahokee, and 290 Cypress Avenue in Pahokee.

All HOME-assisted housing units will remain affordable to households with incomes no greater than 80% of Area Median Income (AMI) for no less than 30 years. Additionally, 20% of HOME-assisted multifamily units will be affordable to households with incomes no greater than 50% of AMI. Loan agreements and related documents pursuant to these HOME funds will be between the County and the identified HOME award recipients and their respective successors and/or assigns. To facilitate project implementation, staff requests authorization for the County Administrator, or designee, to execute loan agreements and related documents. **These are Federal HOME Program grant funds which require a 25% local match provided by State SHIP grant funds. Districts 3, 6 & 7 (HJF)**

5. REGULAR AGENDA

A. HOUSING AND ECONOMIC SUSTAINABILTY (Cont'd)

4. 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 (El Cid Apartments). **SUMMARY:** The bonds are being issued by the Housing Finance Authority of Palm Beach County, Florida (Authority), to finance the costs of acquiring, constructing, renovating and equipping a multifamily rental housing facility containing approximately 72 units which is known as El Cid Apartments (Project). The Project is located at 315 Almeria Road in West Palm Beach. These units will be rented to qualified persons and families whose household incomes do not exceed 60% of area median income. The Borrower is LIH El Cid, LP,. or an affiliate thereof, and the Developer is LEDG Capital, LLC. The Bonds will be payable solely from revenues derived from the Borrower and/or other collateral provided by or on behalf of the Borrower. Greenberg Traurig, P.A. is Bond Counsel to the Authority with respect to the Bonds and Greystone Servicing Company LLC is the Purchaser of the Bonds. On September 20, 2019, the Authority held a public hearing with respect to the Bonds in the noticed principal amount of \$17,500,000 as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (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 2 (DB)

B. ADMINISTRATION

1. Staff recommends motion to approve: the proposed 2020 Federal Legislative Agenda. **SUMMARY:** Staff requests Board approval of the 2020 Federal Legislative Agenda, which includes legislative issues, grant funding requests, and general issues to support and monitor. The Federal Legislative Agenda outlines issues that the County's Legislative Affairs Office, in conjunction with the County's federal lobbyists, will be working on for the upcoming 2020 federal legislative session. New agenda items include: Net Neutrality, Davis Bacon Act, Coral Reef Protection and Restoration, Lake Okeechobee Operations, Derelict Vessels, Next Generation 911, Opportunity Zone Designations with the US Treasury, Veterans' Homelessness, Mental Health Parity and Substance Use Disorder Act, E-Rate and Universal Funding. Countywide (CK)

5. REGULAR AGENDA

C. FACILITIES DEVELOPMENT AND OPERATIONS

1. Staff recommends motion to approve: an extension of time to commence construction until March 31, 2020 and complete construction by April 30, 2020 in connection with the Governmental Center Lease Agreement with LJL Food Management, Inc., d/b/a The Hideout Kitchen & Café. **SUMMARY:** On July 25, 2019 (R2019-1059) the Board approved the Governmental Center Lease Agreement with LJL Food Management, Inc., d/b/a The Hideout Kitchen and Café (Café). The agreement requires Café to spend \$130,000 on improvements including new HVAC, electrical, walk-in-cooler, cabinetry, countertops, flooring and fire sprinkler upgrades. Prior to applying for a building permit, Café is required to provide a detailed permit ready set of plans and specifications to staff for review and approval. Café is also required to post a bond for the cost of the improvements and complete those improvements within six months (January 31, 2020). On November 12, 2019 Café provided plans for review. On December 4, 2019, staff provided Café with comments and requested revisions. On December 30, 2019, Café agreed to the revisions and requested approval of the plans with conditions rather than revise the plans. On January 10, 2020, staff provided conditional consent to proceed contingent upon Board approval of this extension. At the February 4, 2020, Board meeting, the Board postponed consideration of the extension pending demonstrated progress by Café toward obtaining the required permits and commencing construction. Staff recognizes that navigating through the design, permit and construction process is complicated, and recommends Café be given an extension until March 31, 2020 to commence construction and to complete construction by April 30, 2020. (Property & Real Estate Management) Countywide (HJF)

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**RECESS AS THE BOARD OF COUNTY COMMISSIONERS**

**CONVENE AS THE ENVIRONMENTAL CONTROL BOARD**

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

A. HEALTH DEPARTMENT

- 1. **Staff recommends motion to approve:** the appointment of one and reappointment of one member to the Environmental Control Hearing Board for a term of three years beginning February 11, 2020 to February 10, 2023.

<u>NOMINEE:</u>	<u>SEAT #:</u>	<u>REQUIREMENT:</u>	<u>NOMINATED BY:</u>
Gary S. Betensky	1	Attorney	PBC Bar Association
Terrence R. Horan	5	Engineer	Florida Engineering Society, PBC Chapter

**SUMMARY:** The Board is composed of five members. Membership must consist of one lawyer recommended by the Palm Beach County Bar Association, one medical doctor recommended by the Palm Beach County Medical Society, one engineer recommended by the Palm Beach County Chapter of the Florida Engineering Society, and two citizens-at-large not holding elective office. The applicant for appointment to Seat #1, Gary S. Betensky is an Attorney and recommended by the Palm Beach County Bar Association and the reappointment to Seat #5, Terrence R. Horan is an Engineer and recommended by the Florida Engineering Society, PBC Chapter. With this approval, the Board will consist of five members: five Caucasian (100%). The gender ratio (female: male) is 0:5. Countywide (HH)

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ADJOURN AS THE ENVIRONMENTAL CONTROL BOARD  
 RECOVENE AS THE BOARD OF COUNTY COMMISSIONERS

FEBRUARY 11, 2020

7. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

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**FEBRUARY 11, 2020**

**8. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

**B. COUNTY ATTORNEY**

**FEBRUARY 11, 2020**

**9. COMMISSIONER COMMENTS**

**District 1 – COMMISSIONER HAL R. VALECHE**

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

**District 3 – COMMISSIONER DAVE KERNER**

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

**District 5 - COMMISSIONER MARY LOU BERGER**

**District 6 - COMMISSIONER MELISSA MCKINLAY**

**District 7 – COMMISSIONER MACK BERNARD**

**FEBRUARY 11, 2020**

**10. ADJOURNMENT**

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