

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

JUNE 2, 2020

<u>PAGE</u>	<u>ITEM</u>	
38	4B	ADD-ON: Palm Beach County Black Elected Officials Presentation
39	5C-2*	ADD-ON: Staff recommends motion to: A) approve a finding of emergency establishing that the design and renovation of the two County-owned improved properties is at this time the most effective way to meet the non-congregate sheltering needs of the Western Communities and that the delay associated with complying with all governing rules, regulations, or procedures would be detrimental to the interests, health, safety, and welfare of the County; B) approve the use of up to \$5,000,000 of CARES Act funding allocated to Non-Congregate Sheltering for the renovation of the Pahokee Facility; C) authorize the County Administrator or her designee which in this case shall be the Director of Facilities Development & Operations, to execute all emergency design and construction contracts necessary to renovate the Pahokee and Belle Glade Facilities; and D) authorize the County Administrator or her designee to commence direct negotiations with a not-for-profit provider to operate both facilities pursuant to an operator agreement substantially similar to the operation of Program Reach, which provides emergency and supporting housing to families on the coast. SUMMARY: On April 6, 2020, the Palm Beach County Board of County Commissioners received authorization from the Federal Emergency Management Agency (FEMA) to conduct non-congregate sheltering activities under the Public Assistance Program as part of the response to the coronavirus emergency. Under this authorization, the County entered into six reservation/buyout agreements with different hotels for the provision on non-congregate sheltering in the North, South and Central geographical regions of the County. All efforts to secure such agreements in the Western Communities proved unsuccessful. Staff has identified two County-owned properties that could be renovated and repurposed to provide for non-congregate sheltering in the Western Communities. To implement the multisite non-congregate sheltering program, a capital appropriation of up to \$5,000,000 of CARES Act funding will be required for the Pahokee facility and an additional \$500,000 in funding for capital improvements at the Belle Glade facility. Annual operational costs for both sites are estimated at \$2,200,000. (FDO Admin) <u>District 6/Countywide (LDC)</u> REVISED SUMMARY: The UPAP contains fees, standards, legal documents, policies and procedures that govern the provision of potable water, reclaimed water and wastewater services within the PBCWUD service area. PBCWUD updates the UPAP from time to time to ensure compliance with recently enacted laws and ordinances to ensure that it continues to enable effective and efficient delivery of utility services. The proposed changes to the UPAP contained in the resolution include: modification to allow the Department Director to have the authority to modify/waive rates, fees, and charges <u>not to exceed \$200,000 for new or existing customers where there are unusual or extenuating circumstances which support the application of said modification or waiver; when the modification or waiver results in a documented projected positive operational and/or financial benefit to PBCWUD which is greater than or equal to the amount of the modification or waiver; and when the modification or waiver is based on sound utility ratemaking principles and in compliance with applicable law.</u> (WUD)
40	5D-1	

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**

JUNE 2, 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 7-37)**
- 4. SPECIAL PRESENTATIONS (Page 38)**
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- 6. BOARD APPOINTMENTS (Page 41)**
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MATTERS BY THE PUBLIC – 2:00 P.M. (Page 44)

ADJOURNMENT (Page 45)

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:

<u>Meeting Date</u>	<u>Meeting Type</u>
November 5, 2019	Regular
November 25, 2019	Zoning
November 26, 2019	Workshop
January 7, 2020	Regular
January 7, 2020	Environmental Control
January 7, 2020	Child Care Facilities

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to adopt:** a resolution abandoning any public interest in a portion of the ten foot wide utility easement, lying within two linear parkway tracts as shown on the plats of Valencia Cove AGR-PUD – South Plat One, recorded in Plat Book 121, Pages 58 through 77, and Valencia Cove AGR-PUD – South Plat Three, recorded in Plat Book 122, Pages 179 through 183, of the Public Records of Palm Beach County (County) (Abandonment Site). **SUMMARY:** Adoption of this resolution will eliminate the public dedication that is in conflict with future dedication of the linear parkway to the County by Boynton Beach Associates XXII (Petitioner). The petitioner has requested the County clear this encumbrance to allow the parent tract to be declared as right-of-way in the future. All reviewing agencies and utility service providers have approved this abandonment and it serves no present or future public purpose. The abandonment site is located east of Lyons Road and 2.6 miles south of Boynton Beach Boulevard. District 5 (YBH)

2. **Staff recommends motion to adopt:**

A) a resolution to approve the recordation of a right-of-way map for Palm Beach County (County) identifying the existing right-of-way along Old Dixie Highway from Jeffery Street to north of the C-15 Canal; and

B) a resolution to delegate authority to the County Administrator or designee to approve future recordings of right-of-way (ROW) maps (maps) for rights-of-way already owned by the County.

SUMMARY: Adoption of the resolution to approve the recordation of a ROW map identifying the existing ROW along Old Dixie Highway from Jeffery Street to north of the C-15 Canal will allow the existing ROW to be documented in a concise manner on one recorded document. Adoption of the resolution for delegation of authority will allow the County Administrator or designee to approve future recordings of ROW maps for rights-of-way already owned by the County. ROW maps will not be adding ROW not previously acquired or owned by the County. Both resolutions will make identifying existing County road rights-of-way more efficient. District 4/Countywide (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

3. Staff recommends motion to approve: a work task order to the Intersection Improvements Annual Services Contract (R2017-0778) dated June 20, 2017 with Bolton Perez & Associates, Inc. (BPA) in the amount of \$111,154.97 for professional services for the Military Trail and Old Boynton Road intersection improvements (Project). **SUMMARY:** Approval of this work task order will provide the design services necessary for the project to construct a northbound to eastbound right turn lane on Military Trail at Old Boynton Road. The annual contract was approved on June 20, 2017, prior to the effective date of the Equal Business Opportunity Ordinance and pursuant to the Small Business Enterprise (SBE) Ordinance at that time. The SBE goal for all contracts was 15%. BPA committed to 16% SBE participation for the contract. Their cumulative SBE participation to date including this work task order is 25.67%. BPA has a corporate office in Miami and offices located in Palm Beach County. Districts 4 & 5 (YBH)

4. **Staff recommends motion to approve:** Amendment No. 2 to the annual milling and resurfacing construction contract R2018-1533, Project No. 2018051, dated October 16, 2018, with Ranger Construction Industries, Inc. (Ranger), to extend the expiration date from October 15, 2020 to October 15, 2021 and increase the contract by \$17,100,000. **SUMMARY:** Approval of Amendment No. 2 will increase the contract with Ranger from \$31,400,000 to \$48,500,000, extend the expiration date from October 15, 2020 to October 15, 2021, and add counterparts language. 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. On October 22, 2019, the Board of County Commissioners approved Amendment No. 1 (R2019-1591) updating the contract language and extending the expiration date. On February 18, 2020, the Office of Equal Business Opportunity approved renewing the contract under its current terms because the current Small Minority Women Business Enterprise (S/M/WBE) utilization of 5% minimum mandatory SBE participation under the contract is satisfactory based upon the availability of S/M/WBEs certified to perform the work. To date, tasks in the amount of \$22,678,436 have been authorized for Ranger. This is the second of two allowable extensions, not to exceed 36 months total contract time, as the contract provides. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

5. Staff recommends motion to approve: a subordination of utility interests and agreement for reimbursement for additional facility relocations with Florida Power & Light Company (FPL) on a parcel of land located at the southwest corner of Roebuck Road and Loxahatchee River Road. **SUMMARY:** Approval of the subordination agreement will subordinate FPL's utility easement interests and allow Palm Beach County (County) to accept a warranty deed for additional right-of-way. As part of the development conditions associated with Family Church 5 LLC, the property owners are required to provide the County with 63.5 feet of right-of-way on Roebuck Road, and 70 feet of right-of-way on Loxahatchee River Road. This right-of-way is encumbered by an FPL utility easement. The subordination agreement requires FPL to relocate any facilities it may have from the dedicated right-of-way, when and if requested by the County, and requires the County to pay for reasonable relocation costs of said facilities. The property owners have provided \$40,000 to the County for those future costs. FPL has negotiated their subordinations not to include the indemnity provision associated with PPM CW-F-049. This has been reviewed by the County Attorney's office and Risk Management. District 1 (YBH)

6. Staff recommends motion to approve:
 - A) an Annual Intersection Improvements Services contract with HSQ Group, Inc. (HSQ); and

 - B) an Annual Intersection Improvements Services contract with Propel Engineering, Inc. (PEI).

SUMMARY: Approval of these contracts will provide the necessary professional services for intersection improvements on a task order basis, for Palm Beach County (County) projects, as required for all user departments. The contract periods are for 36 months from the date of approval by the Board of County Commissioners. On May 1, 2019, the Goal Setting Committee set Affirmative Procurement Initiatives of Small Business Enterprise (SBE) Evaluation Preference Option 2, with a 20% SBE minimum mandatory participation goal for these contracts. HSQ committed to 75% SBE participation and PEI committed to 89% SBE participation. Both are County based certified SBE companies. Countywide (YBH)

7. Staff recommends motion to approve: a subordination of utility interests (Subordination) agreement for reimbursement for additional facility relocations with Loxahatchee River Environmental Control District (ENCON) on a parcel of land located at the southwest corner of Roebuck Road and Loxahatchee River Road. **SUMMARY:** Approval of the subordination agreement will subordinate ENCON's utility easement interests and allow Palm Beach County (County) to accept a warranty deed for additional right-of-way. As part of the development conditions associated with Family Church 5 LLC, the property owners are required to provide the County with 63.5 feet of right-of-way on Roebuck Road, and 70 feet of right-of-way on Loxahatchee River Road. This right-of-way is encumbered by an ENCON sewer easement. The subordination agreement requires ENCON to relocate any facilities it may have from the dedicated right-of-way, when and if requested by the County, and requires the County to pay for reasonable relocation costs of said facilities. ENCON has negotiated their subordinations to not include the indemnity provision associated with PPM CW-F-049. This has been reviewed by the County Attorney's office and Risk Management. District 1 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

8. **Staff recommends motion to approve:** Work Order 2018051-109 in the amount of \$960,000 to mill and resurface 10th Avenue North from Haverhill Road to Congress Avenue utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2018-1533 (Contract) with Ranger Construction Industries, Inc. (Ranger). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of this work order will allow the contractual services necessary to construct the improvements. Prior to this work order, approximately \$25 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. Due to the limited availability of applicable certified SBE subcontractors, the Office of Equal Business Opportunity issued a waiver on January 17, 2020, that reduced the mandatory SBE participation to 5% for the remainder of the current contract term. Ranger agreed to 5% SBE participation for this work order. Approval of this work order will result in a cumulative SBE participation of 8.9% for all the work orders issued under the Contract. Districts 2 & 3 (YBH)

9. **Staff recommends motion to approve:** Work Order 2018051-110 in the amount of \$1,116,000 to mill and resurface the residential streets within Palm Beach Country Estates utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2018-1533 (Contract) with Ranger Construction Industries, Inc. (Ranger). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of this work order will allow the contractual services necessary to construct the improvements. Prior to this work order, approximately \$25 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. Due to the limited availability of applicable certified SBE subcontractors, the Office of Equal Business Opportunity issued a waiver on January 17, 2020, that reduced the mandatory SBE participation to 5% for the remainder of the current contract term. Ranger agreed to 5% SBE participation for this work order. Approval of this work order will result in a cumulative SBE participation of 8.6% for all the work orders issued under the Contract. District 1 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

10. Staff recommends motion to approve: Work Order 2018051-112 in the amount of \$858,000 to mill and resurface Hagen Ranch Road from Boynton Beach Boulevard to Hypoluxo Road utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2018-1533 (Contract) with Ranger Construction Industries, Inc. (Ranger). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of this work order will allow the contractual services necessary to construct the improvements. Prior to this work order, approximately \$25 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. Due to the limited availability of applicable certified SBE subcontractors, the Office of Equal Business Opportunity issued a waiver on January 17, 2020, that reduced the mandatory SBE participation to 5% for the remainder of the current contract term. Ranger agreed to 5% SBE participation for this work order. Approval of this work order will result in a cumulative SBE participation of 8.4% for all the work orders issued under the Contract. Districts 3 & 5 (YBH)

11. Staff recommends motion to receive and file: a report of plat recordations from October 1, 2019 through March 31, 2020. **SUMMARY:** This report is a bi-annual summary of subdivision plats recorded during the fiscal quarters since the previous report. There were 19 plats recorded during this period. This report is required by the Department of Engineering and Public Works Policies and Procedures Manual Item No. EL-O-2618, governing administrative approval of plats by the County Engineer. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

12. Staff recommends motion to approve:

A) an Annual Structural Engineering Services contract with Alan Gerwig & Associates, Inc. (AGA);

B) an Annual Structural Engineering Services contract with R.J. Behar & Company, Inc. (RJB);

C) an Annual Structural Engineering Services contract with Scalar Consulting Group Inc. (SCG); and

D) an Annual Structural Engineering Services contract with WGI, Inc. (WGI).

SUMMARY: Approval of these contracts will provide the necessary professional services for structural engineering on a task order basis, for Palm Beach County (County) projects, as required for all user departments. The contract periods are for 36 months from the date of the Board of County Commissioners' (BCC) approval. On April 3, 2019, the Goal Setting Committee set a 20% Small Business Enterprise (SBE) minimum mandatory participation goal as the Affirmative Procurement Initiative for these contracts. AGA committed to 90% SBE participation and is a certified SBE company. Anne Gerwig, Mayor of Wellington, is owner of 1% of AGA. In the event any item would come before her that would offer a special financial benefit to her or her business relating to this contract, AGA has disclosed that it would require her to recuse herself from that item, thereby removing any conflict of interest for herself, AGA and the County. Anne Gerwig also serves as chair of the Citizens Advisory Committee on Health and Human Services as a Palm Beach County League of Cities representative, which is purely advisory and without oversight of this contract. Disclosure of these contractual relationships at a noticed public meeting is provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics. RJB committed to 22% SBE participation, SCG committed to 20% SBE participation, and WGI committed to 28% SBE participation. AGA, SCG and WGI are all County based companies. RJB has their corporate office located in Pembroke Pines, Florida and has an office based in the County. Countywide (YBH)

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: an agreement with the law firm of Fowler White Burnett, P.A., (Firm) in an amount not to exceed \$150,000, for loan closing, foreclosure, and related services in connection with loan programs administered by the County's Department of Housing and Economic Sustainability (DHES) for an initial term through September 30, 2023, with an option to renew for one additional three year term at the County's option. **SUMMARY:** The County, through DHES processes a variety of loans to qualified businesses through various loan programs, including, but not limited to, U.S. Department of Housing and Urban Development Section 108 Loan Program; U.S. Department of Agriculture Intermediary Relending Program; U.S. Environmental Protections Agency Revolving Loan Program; U.S. Department of Energy Revolving Loan Program; and the County's Micro Loan Program funded under the HUD Community Development Block Grant. The requirements associated with the unique funding sources of these loans require specialized knowledge and, as such, DHES currently utilizes the services of the Firm to assist in loan closings, the handling of foreclosure matters on defaulted loans, and other related services. This agreement allows for DHES to continue utilizing the Firm for such specialized services. Countywide (DB)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. [Staff recommends motion to approve:](#) the appointment of one new member to the Community Action Advisory Board, effective June 2, 2020.

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Expires</u>
10	Denise A. Brown	Private Sector Representative	09/30/22

SUMMARY: Per Resolution No. R2018-0372, adopted April 10, 2018, amending Resolution R-2014-0588, originally adopted by the Board of County Commissioners (BCC) on May 6, 2014, the total membership for the Community Action Advisory Board (CAAB) shall be no more than 15 at-large members, comprised of one-third elected public officials or their representatives, one-third private sector members recommended by the CAAB and one-third low-income representatives selected by a democratic process in the target neighborhoods served. Members will fully participate in the planning, implementation, and evaluation of the Community Services Block Grant (CSBG) program to serve low-income communities. Ms. Brown meets all applicable guidelines and requirements outlined in the resolution. The diversity count for the 11 seats that are currently filled is African-American: 9 (82%), Hispanic-American: 1 (9%) and Caucasian: 1 (9%). The gender ratio (female: male) is 10:1. Ms. Brown is Caribbean-American. Staff conducted targeted outreach in an effort to proffer candidates for appointments that maintain a diverse composition of the advisory board. (Community Action Program) Countywide (HH)

2. [Staff recommends motion to:](#)

A) receive and file a Notice of Award (NOA) Grant Award No. 1 H9AHA36962-01-00 from the U.S. Department of Health and Human Services (DHHS), Health Resources and Services Administration (HRSA), Coronavirus Aid Relief and Economic Security (CARES) Act, for the budget period April 1, 2020 through March 31, 2021, in the amount of \$294,724, to prevent, prepare for, and respond to the Coronavirus (COVID-19) pandemic for clients in the Ryan White HIV/AIDS Program;

B) approve a budget amendment of \$294,724 to appropriate funds in the CARES Act Relief Fund 1160; and

C) authorize the County Administrator or designee to execute subrecipient funding agreements, amendments, thereto, and all other documents necessary for the implementation of the grant award.

SUMMARY: A NOA was issued on April 10, 2020 from HRSA to respond to the COVID-19 pandemic. This funding will be used to prevent, prepare for, and respond to COVID-19 as needs evolve for clients of the Ryan White HIV/AIDS Program. This funding is provided by the CARES Act, Public Law No. 116-136, which was signed into law on March 27, 2020. On May 4, 2020, the Palm Beach County HIV Care Council allocated \$90,000 to emergency housing, \$10,252 to non-medical case management-eligibility, and \$165,000 to early intervention services, with \$29,472 in administrative costs to be utilized to expand telehealth service capacity. To expedite delivery of resources to meet urgent community needs, and in order to submit the COVID-19 Allocations and Expenditures Report due to HRSA on June 15, 2020, staff requests delegation of signatory authority to the County Administrator or designee for grant agreements, subrecipient funding agreements, amendments, and other documents necessary for grant implementation. These are Ryan White Part A grant funds, which require no local match. (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to:

A) receive and file an Award Modification (Modification P00011) of Law Enforcement Officer (LEO) Reimbursement Program Other Transaction Agreement (OTA) HSTS02-16-H-SLR765 with the Transportation Security Administration (TSA) in the amount of \$220,000 for law enforcement services at Palm Beach International Airport (PBI) in support of the passenger screening operations at the security checkpoints in the terminal; and

B) approve a budget amendment in the Airport's Operating Fund, for the receipt of \$220,000 of funding from the TSA; and an increase to Airport's Reserve in the amount of \$220,000.

SUMMARY: Delegation of authority for execution of the LEO Agreements was approved by the BCC on August 14, 2012 (R2012-1093). Countywide (AH)

2. Staff recommends motion to approve: the appointment of the following individual to the Citizens Committee on Airport Noise (CCAN) for a term of three years.

<u>SEAT</u>	<u>NAME</u>	<u>ACTION</u>	<u>ORGANIZATION</u>
No.10	Julie Kay Araskog	Appointment	Town of Palm Beach

SUMMARY: Per Resolution No. R2013-1304, the Citizens Committee on Airport Noise consists of 11 seats of which four (seat No. 8 through seat No. 11) are recommended for appointment by the organizations approved by the BCC. The Town of Palm Beach submitted its recommendation, Julie Kay Araskog, for representation on the Board by letter. The diversity of the eight appointed members is as follows: one African-American; five Caucasian; one Hispanic-American; one unknown. The gender ratio (female:male) is 3:5. Countywide (AH)

3. Staff recommends motion to receive and file: a first amendment to Memorandum of Lease (Amended Memorandum) updating terms to a Memorandum of Lease for the Development Site Lease Agreement with Airport Logistics Park, LLC (ALP) (R2019-0300, as amended) (Lease), on County-owned land west of the Palm Beach International Airport (PBI). **SUMMARY:** ALP is constructing a new warehouse development on County-owned property north of Wallis Road, east of Haverhill Road, west of PBI, pursuant to the Lease. A Memorandum of Lease was recorded in Official Records Book 30954, Page 1532, of the Palm Beach County public records (Agenda Item 3F4, December 3, 2019). The Amended Memorandum updates the Memorandum of Lease to reflect changes to the Lease pursuant to the first amendment to Development Site Lease Agreement (R2020-0017). Agenda item 3F-10, dated March 17, 2019, authorized the Director of the Department of Airports to execute a Memorandum of Lease on behalf of the County. The Amended Memorandum is consistent with the form attached to the Lease. Countywide (HJF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

4. Staff recommends motion to approve:

A) a contract (Contract) with Stryker Electrical Contracting, Inc. (Stryker) in the amount of \$4,962,752 and 635 calendar days for the Public Address (PA) System Replacement at Palm Beach International Airport (PBI); and

B) a budget transfer of \$29,748 in the Airport's Improvement and Development Fund to increase project cost budget by \$29,748 and a transfer from Reserves of \$ 29,748.

SUMMARY: This project was advertised utilizing the County's competitive bid process. On March 17, 2020, two bids were received for the PA System Replacement at PBI. Of the two bids, Stryker, a Martin County, Florida company has been identified as the lowest responsible/responsive bidder in the amount of \$4,962,752. The existing public address system was installed in the terminal in 1988. It was upgraded in 1999, but the speakers and the cabling were not replaced. The system can no longer be maintained due to the lack of available compatible parts. This project includes demolition of the existing system and the installation of new conduit, wiring, software, speakers, and amplifiers. It also includes repairs to the existing soffits and ceilings required as a result of the work. A Disadvantaged Business Enterprise (DBE) goal of 15% was established for this project. Stryker has committed to 15% DBE participation for this Contract. Countywide (AH)

5. Staff recommends motion to approve: Amendment No. 1 to the Construction Manager (CM) at Risk Contract (Contract) with The Morganti Group, Inc. (MGI) for CM at Risk Services for Miscellaneous Airport Improvements for Palm Beach County Department of Airports (Department) in the amount of \$1,383,500 and 220 calendar days for Work Order SMC 01: Terminal 2nd Level Temperature and Humidity Issues Corrections Phase 1 at Palm Beach International Airport (PBI). **SUMMARY:** The CM at Risk Contract with MGI was approved by the Board on August 20, 2019 (R2019-1221). The contract is for two years with three, one-year renewal options for CM at Risk Services for Airport Improvements for the Department. In order to complete certain capital improvement projects at the County's four Airports, the Department requires a CM at Risk contractor to provide preconstruction and construction services, which include conducting the procurement process for assigned tasks/work orders, project management and construction supervision. This solicitation for CM contractors was advertised on September 23, 2018 according to the Small Business Enterprise (SBE) Ordinance in place at the time, with a 15% SBE goal. MGI along with their S/MBE teaming partner Cooper Construction Management and Consulting, Inc. (Cooper), were one of two firms selected to provide project management and construction supervision services. MGI is a Danbury, Connecticut, based firm; however, the work will be directly managed by their southeast regional office in Palm Beach County. Approval of Amendment No. 1 in the amount of \$1,383,500 and 220 calendar days will enable MGI to complete Work Order SMC 01: Terminal 2nd Level Temperature and Humidity Issues Corrections Phase 1 at PBI. This project is phase 1 of a multiphase project to address temperature, humidity and condensation issues that have been experienced within the terminal. The project was presented to the Goal Setting Committee on December 18, 2019 and an Affirmative Procurement Initiatives of 16% S/MBE participation was applied, of which 4% will be an MBE Goal for African Americans and Hispanics. The SBE participation on this project is 15.85% and the MBE is 4.34%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

6. **Staff recommends motion to approve:** Modification P00002 (Mod 2) to Other Transaction Agreement No. 70T01018T9NCKP023 (R2018-0382) (OTA) with the United States of America, acting through the Transportation Security Administration (TSA), pertaining to TSA's use of security checkpoint and baggage screening areas at the Palm Beach International Airport (PBI); extending the period of performance and obligating TSA's funding through May 31, 2021; providing for reimbursement by TSA for electrical costs associated with equipment, HVAC and lighting for TSA's screening areas in the amount of \$10,874.70 per month; and deleting TSA's obligation to reimburse the County for janitorial services. **SUMMARY:** Pursuant to the Aviation and Transportation Security Act (ATSA) of 2001, TSA is required to conduct screening of all passengers, property and baggage, which requires use of security checkpoint and baggage screening areas. Although the County is not permitted to charge TSA for use of areas, the OTA formalizes the obligations of the TSA related to use of the areas. The OTA also provides for reimbursement of electrical costs associated with equipment, HVAC, lighting and janitorial costs. In April, the Department of Airports (DOA) was notified that, due to a lack of available funding, TSA will no longer reimburse any costs under the OTA for janitorial services provided after May 31, 2020. DOA requested reconsideration based on the recent appropriation of supplemental funding for the cleaning of TSA checkpoint areas under the Coronavirus Aid, Relief, and Economic Security Act. DOA will continue to provide janitorial services at the TSA security checkpoints and screening areas for the safety of the employees and passengers utilizing those areas whether or not reimbursement is reinstated. The OTA renews automatically each June 1 through May 31, 2023, unless terminated. Countywide (AH)

7. **Staff recommends motion to receive and file:** a Terminal Space Lease Agreement (Agreement) with F.B. Enterprise Holdings, LLC d/b/a Top Flight Aviation Services (Top Flight), commencing November 11, 2019, and terminating on March 31, 2020, for the lease of approximately 87 square feet of space at the Palm Beach International Airport (PBI) terminal building, for payment of rent in the amount of \$2,565.92. **SUMMARY:** Top Flight provides support services to airlines at PBI and leased space at the ticketing level, curbside, to assist airline passengers. Delegation of authority for execution of the standard form Terminal Space Lease Agreement was approved by the Board pursuant to R2018-0995. Countywide (AH)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to receive and file:** the Briger Community Development District Fiscal Year 2021 proposed budget. **SUMMARY:** The Briger Community Development District have submitted their proposed budget for Fiscal Year 2021 as per Section 190.008(2)(b), Florida Statutes. Countywide (DB)

2. **Staff recommends motion to receive and file:** the Quarter Ending 03-31-2020 information for Children's Services Council of Palm Beach County (CSCPBC). **SUMMARY:** The Children's Services Council has submitted their Quarter Ending 03-31-2020 information as per Section 125.901, Florida Statutes. Countywide (DB)

3. **Staff recommends motion to receive and file:** the Annual Report for the Fiscal Year ending September 30, 2019 from the Riviera Beach CRA. **SUMMARY:** The Riviera Beach CRA has submitted its Annual Report for the Fiscal Year ending September 30, 2019 as per Section 163.356(3)(c), Florida Statutes. Countywide (DB)

4. **Staff recommends motion to receive and file:** the Annual Report for the Fiscal Year ending September 30, 2019 from the West Palm Beach CRA. **SUMMARY:** The West Palm Beach CRA has submitted its Annual Report for the Fiscal Year ending September 30, 2019 as per Section 163.356(3)(c), Florida Statutes. Countywide (DB)

3. CONSENT AGENDA APPROVAL

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

- 5. Staff recommends motion to approve: the appointment of the following individual to the County Financing Committee for the term beginning July 16, 2020 to July 15, 2022:

<u>Nominee</u>	<u>Seat No.</u>	<u>Nominated By</u>
Howard L. Schwartz	At-Large	Commissioner Weinroth

SUMMARY: On April 3, 2012, the Board of County Commissioners approved the addition of an at-large seat on the County Financing Committee (CFC). The Committee is currently comprised of the Director of the Office of Financial Management & Budget (Sherry Brown), a representative from the Clerk & Comptroller’s Office (Stephen Weiss), two representatives from local government agencies (Ron Horan, Palm Beach County School District Treasury Manager and Paul Dumars, Director of Financial Services, Palm Beach County Solid Waste Authority, and a County Department Director, if needed. A memo dated February 7, 2020, was circulated to the BCC notifying the Board that the at-large seat on the CFC is currently vacant. The Committee’s diversity, including Mr. Schwartz, is comprised of three Caucasian males, one Caucasian female, and one African American male. The Board appointee will serve a term of two years, at which time the appointee may be re-appointed, or a new appointee selected by the Board. Countywide (DB)

- 6. Staff recommends motion to approve: a contract for external auditing services with RSM US LLP in the amount of \$2,588,488. This is a three year contract with all services to be completed by July 31, 2023. The contract includes two renewal options of two years each, at the County’s sole discretion. **SUMMARY:** Pursuant to Section 218.391(4)(b), Florida Statutes, when compensation is one of the factors considered by the Committee, as was the case here, the governing body shall select the highest-ranked qualified firm or must document in its public records the reason for not selecting the highest-ranked qualified firm. On April 28, 2020, the External Auditor Selection Committee (Committee), comprised of representatives from each of the Constitutional Officers and the Board of County Commissioners (BCC), selected RSM US LLP as the first ranked proposer to provide external audit services to Palm Beach County. The Committee voted to rank RSM US LLP as number one, with five of the six Selection Committee members ranking them number one. Further, RSM US LLP received 45 more points overall than second ranked MSL, PA. The third and fourth ranked firms were Carr, Riggs & Ingraham and Marcum LLP, respectively. RSM US LLP was chosen in large part due to their having a significant number of large clients similar in size to Palm Beach County, and appreciable experience in serving those clients. The initial contract period is for three years at \$862,816 per year for a total cost of \$2,588,448, with 25% SBE participation of which 10% being to eligible M/WBE firms. The agreement contains nonstandard indemnification language which requires RSM US LLP to indemnify the County for RSM US LLP’s negligent acts or omissions. This is the same language that was included in the agreement with RSM US LLP, formerly McGladrey, LLP in 2013. Countywide (DB)

3. CONSENT AGENDA APPROVAL

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

7. [Staff recommends motion to approve:](#) the appointment of the following individual to the County Infrastructure Surtax Independent Citizen Oversight Committee for the term June 2, 2020 to April 30, 2023:

<u>Nominee</u>	<u>Seat No.</u>	<u>Nominated By</u>
Sandra Hammerstein	8	Black Chamber of Commerce

SUMMARY: On December 20, 2016, the Board of County Commissioners created the Infrastructure Surtax Independent Citizen Oversight Committee (Surtax Committee). The Surtax Committee will meet quarterly, issue an annual report, may make recommendations to the Board, and ensure that the proceeds of the surtax are expended for the purposes set forth in the ballot measure and are in compliance with the County's surtax plan. The Surtax Committee has 19 seats. Out of the current 15 positions filled, the diversity count is: 3 African-American (20%); 1 Hispanic (7%); and 11 Caucasian (73%). The gender ratio (female:male) is 6:9. Countywide (MJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: an increase in the maximum dollar value of the annual painting and weatherproofing contracts by \$1,500,000 to perform painting and weatherproofing services on an as-needed basis through April 9, 2023.

<u>Contractor</u>	<u>Resolution #</u>	<u>Status</u>	<u>Total SBE Participation to Date</u>
A) A-1 Paint, Inc., of Palm Beach	R2018-0392	Local/SBE	0%
B) Advanced Painting Contractors, Inc.	R2018-0393	Local/Non-SBE	0%
C) Clean Air Restoration, Inc. d/b/a Chandler Construction Company	R2018-0394	Local/Non-SBE	0%
D) H.A. Contracting Corp	R2018-0395	Local/Non-SBE	0%
E) One Call Florida, Inc.	R2018-0396	Local/SBE	0%
F) WGM Quality Painting, Inc.	R2018-0396	Local/SBE	100%
G) Hatcher Construction & Development, Inc.	R2020-0083	Local SBE	0%
H) Greenview Construction LLC	R2019-1029	Local/Non-SBE	0%
I) Gustafson Industries, Inc.	R2019-1030	Local/Non-SBE	100%
J) Harry's Painting & Enterprises, Inc.	R2019-1031	Local/Non-SBE	0%
K) J.B. Painting & Weatherproofing, Inc.	R2019-1032	Local/Non-SBE	100%
L) Sun Art Painting Corporation	R2019-1033	Local/SBE	0%

SUMMARY: On April 10, 2018, the Board initially approved the annual painting and weatherproofing contract for an initial term of two years, with three renewal options each for a period of one year, at the sole option of the County. On July 23, 2019, Amendment No. 1 (R2019-1034 through R2019-1039) extended the term of the contract through April 9, 2023. During the first two years of the contract, the County awarded \$603,102 in work orders. Staff is requesting the cumulative limit be increased by \$1,500,000 for a total cumulative value of \$2,500,000 in order to accommodate the Convention Center Painting Project valued at \$399,900 and additional anticipated new projects required to be accomplished before the term of this contract expires on April 9, 2023. Work is to be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract before the term ends. 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 12 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 annual painting and weatherproofing contract was last presented to the Goal Setting Committee on March 4, 2020, and the committee established Affirmative Procurement Initiatives of sheltered market for projects under \$100,000 (when three or more Small Business Enterprises (SBE) are qualified under the annual contract) or a price preference for SBE contractors if their bid is within 10% of the lowest non-SBE bid. Small/Minority/Women-Owned Business Enterprise (S/M/WBE) actual participation will be identified on each work order, and will be tracked cumulatively over all work orders issued. Current cumulative S/M/WBE participation for all work orders to-date is 45.03%. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. **Staff recommends motion to approve:** Amendment No. 21 to the continuing construction manager (CM) contract (R2016-0762) with Robling Architecture Construction, Inc. establishing a guaranteed maximum price (GMP) for the Fire Rescue Station No. 21 Renovation project in the amount of \$775,570.08 for a period of 120 calendar days or until the project is complete. **SUMMARY:** Fire Rescue Station No. 21 was built in 1985 to service the western communities and has remained in continuous operation ever since. The existing space is outdated and the restrooms do not meet ADA requirements. Amendment No. 21 authorizes the CM to reconfigure the existing floor plan at Fire Station No. 21 to include private bunkrooms for the emergency response team, restrooms for staff, additional storage for bunker gear, an Americans Disability Act compliant public restroom and entrance. 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 35.97%. To date the Construction Manager has achieved 43.39% SBE subcontracting participation under its continuing contract. The CM is a Palm Beach County business. The funding source for this project is from the Fire Rescue Improvement Fund. (Capital Improvements Division) District 6 (LDC)

3. **Staff recommends motion to approve:** Work Order No. 20-023 to the annual roofing contract with Hi-Tech Roofing & Sheetmetal, Inc., (R2015-1782) in the amount of \$424,330 for the Palm Beach County Sheriff Office (PBSO) District 3-Roof Replacement project for a period of 90 calendar days from permit issuance or until project is complete. **SUMMARY:** The work consists of removing the existing flat roof down to the metal deck and installing a new insulated flat roof system. The existing roof has outlived its service life and has developed leaks and maintenance issues. A complete replacement is required to maintain operations, ensure a weather tight building, and provide for an adequate operational environment. 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 January 2, 2019, the Goal Setting Committee applied an Affirmative Procurement Initiative of Small Business Enterprise (SBE) price preference where an SBE contractor will be given a price preference if its bid is within 10% of the lowest responsive and responsible non-SBE bidder. The contractor is a certified SBE and submitted 95.62% SBE participation on this work order. The overall SBE participation on the annual roofing contract is 78.02%. The contractor is a local business and will be using all local subcontractors. Funding for this project is from the Public Building Improvement Fund. (Capital Improvements Division) District 6 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to approve: Work Order No. 20-005 to the annual painting and weatherproofing contract with WGM Quality Painting, Inc. (R2018-0396) in the amount of \$399,000 for the Convention Center – Exterior Painting project for a period of 150 calendar days from permit issuance or until project is complete. **SUMMARY:** The work consists of furnishing the labor, equipment, and materials needed to paint the Convention Center exterior including surface preparation, surface repair, primer application, sealer application, caulking, patching and application of the paint coatings. 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 January 2, 2019, the Goal Setting Committee applied Affirmative Procurement Initiatives (API) of sheltered market for projects under \$100,000 (when three or more Small Business Enterprises (SBE) are qualified under the annual contract) or an SBE contractor will be given a price preference if its bid is within 10% of the lowest 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 Small/Minority/ Women Owned Business (S/M/WBE) and submitted 100% SBE participation on this work order. The overall S/M/WBE participation on the annual painting contract is 66.92%. The contractor is a local business. Funding for this project is from the Tourist Development Council Building Renewal Replacement Fund. (Capital Improvements Division) District 7 (LDC)
5. 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) Brothers' Construction, Inc.	Non-Local	Non-SBE
B) Lambert Bros., Inc.	Non-Local	Non-SBE
C) Poseidon Dredge & Marine, Inc.	Local	S/MBE
D) Greenview Construction LLC	Local	SBE
E) Randolph Construction Group, Inc.	Local	S/MBE

SUMMARY: On February 11, 2020, the Board approved the annual minor construction contract. The work consists of construction services associated with repairs, improvements and renovations to County properties. The contractors now join the list of ten already prequalified contractors for a total of 15 with a contract expiration date of February 10, 2025. The specific requirements of the work shall be determined by individual work orders issued against this annual contract. These contracts are five year indefinite-quantity contracts with a maximum cumulative value of \$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 15 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 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. Current cumulative S/M/WBE participation for all work orders to-date under the minor annual is 71.14%. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. Staff recommends motion to approve: annual contracts with the following contractors for fire alarm repair and replacement services on an as-needed basis through June 2, 2025.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
A) 1st Fire & Security, Inc.	Local	S/WBE
B) Fire and Security Solutions Inc.	Local	Non-SBE

SUMMARY: The purpose of this annual contract is to pre-qualify contractors to provide fire alarm repair and replacement services. The work consists of repairs, modifications and replacement of existing fire alarm systems as per the Electronic Services and Security (ESS) fire detection and alarm guidelines, specification section 283100 for county buildings throughout Palm Beach County. The contractor along with ESS staff will customize and review the designs for each individual site based on ESS specifications. The specific requirements of the work shall be determined by individual work orders issued against this annual contract. These contracts are five year indefinite-quantity contracts with a maximum cumulative value of \$1,000,000. 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 two 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 November 20, 2019, and the Committee established Affirmative Procurement Initiatives of sheltered market for projects under \$100,000 (when at least three Small Business Enterprise (SBE) contractors are qualified under the annual contract) or a 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 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)

7. Staff recommends motion to approve:

A) Amendment No. 5 with four annual flooring contractors to update the contract terms and conditions to remove the cumulative capacity maximum; and

1. Andrea Construction, Inc. (Price Increase R2017-0804; Renewals R2018-0655; R2019-0614; R2019-1025) Local/SBE

2. Brian's Carpet & Commercial Flooring, Inc. (Price Increase R2017-0805; Renewals R2018-0656; R2019-0615; R2019-1026) Local/SBE

3. Joe Schmidt Construction, Inc. (Price Increase R2017-0806; Renewals R2018-0657; R2019-0616; R2019-1027) Local/SBE

4. One Call Florida, Inc. (Price Increase R2017-0807; Renewals R2018-0658; R2019-0617; R2019-1028) Local/SBE

B) an increase in the maximum dollar value of the flooring annual contracts by \$500,000 to perform flooring repairs, replacements and installation services on an as-needed basis through June 1, 2021.

SUMMARY: On July 23, 2019, the Board approved annual contracts with Greenview Construction LLC (R2019-1024) and Jack Walsh Carpets and Rugs, Inc. (R2019-1023) with terms and conditions that included new magnitude of work requirements, which differed from those established in the original flooring contracts. Amendment No. 5 modifies the existing annual contracts by eliminating and replacing the terms and conditions in section 16.1, Magnitude of Work. These amendments will standardize the Magnitude of Work for all of the annual flooring contracts. In addition, on June 20, 2017, the Board approved an increase of the capacity to a cumulative value of \$1,199,900. During the first four years of the contract, the County awarded \$1,167,557.48 in work orders. Staff is requesting the cumulative limit be increased by \$500,000 for a total cumulative value of \$1,699,900 in order to accommodate anticipated new projects required to be accomplished before the term of this contract, which expires on June 1, 2021. The annual flooring 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 or price preference for Small Business Enterprise (SBE) contractors if their bid is within 10% of the lowest non-SBE bid. Small/Minority/Women-Owned Business Enterprise (S/M/WBE) actual participation will be identified on each work order, and will be tracked cumulatively over all work orders issued. Current cumulative S/M/WBE participation for all work orders to-date is 70.66%. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

8. Staff recommends motion to approve: annual contracts with the following contractors for roofing services on an as-needed basis through December 14, 2020.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
A) The Roof Authority, Inc.	Non-Local	Non-SBE
B) Gustafson Industries, Inc.	Local	SBE

SUMMARY: On December 15, 2015, the Board approved the annual roofing contract. The work consists of roof repairs or replacement services on an as needed basis. The contractors now join the list of eight already prequalified contractors for a total of ten with a contract expiration date of December 14, 2020. 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 \$4,000,000 across all prequalified contractors. Work is to be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors (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. The roofing annual contract was presented to the Goal Setting Committee on January 2, 2019, and the committee established an Affirmative Procurement Initiative of price preference for Small Business Enterprise (SBE) contractors 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 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 Roofing Annual is 77.87%. (Capital Improvements) Countywide (LDC)

9. Staff recommends motion to approve: an Amended and Restated 800 Interlocal Agreement (Agreement) with Martin County (Martin County), allowing for interoperable communications through the countywide common talk groups of the County's Public Safety Radio System (County's System) to Martin County from June 2, 2020 through June 1, 2025. **SUMMARY:** This Agreement provides the terms and conditions under which Martin County can program into its radios and utilize the countywide common talk groups for certain types of inter-agency communications. This Agreement is intended to replace the Interlocal Agreement R2013-1566 between County and Martin County, amended by First Amendment R2018-1651, 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 Martin County. 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. Martin County is required to pay all costs associated with Martin County'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)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

10. Staff recommends motion to:

A) approve a Second Amendment (Amendment) to the First Restated Vehicle and Equipment Parts Management and Supply Agreement (Agreement) with Genuine Parts Company d/b/a NAPA (NAPA) for onsite integrated inventory management services for Facilities Development & Operations/Fleet Management Division (FDO/Fleet) and Fire Rescue Support Services (Fire Rescue) extending the term for an additional 12 months through July 21, 2021 at an estimated cost of \$6,742,795; and

B) authorize the County Administrator or designee, who in this case shall be the Director of Purchasing, to execute the Amendment on behalf of the Board.

SUMMARY: NAPA has been providing on-site integrated inventory management services to FDO/Fleet since 2012 (R2012-1322) and then via a new agreement executed in 2015 (R2015-1788) and then restated in 2016 (AIS November 1, 2016 #3H-7) to add similar services for Fire Rescue. The Agreement is set to expire on July 22, 2020, and this Amendment will extend the term for an additional 12 months through July 21, 2021. Under the Agreement, NAPA provides to both FDO/Fleet and to Fire Rescue comprehensive in-house store automotive parts functions including the provision of all materials, equipment, parts and supplies required for operation and maintenance with no less than an 80% in-stock availability for all parts requested. The Agreement provides that the County will pay NAPA: **(i)** 10% above both NAPA Product Costs and Non-NAPA Product Costs (except for parts over \$3,500 the markup is only 5%); and **(ii)** for operational costs that were included within the annual budget approved by the County during its normal budget process. NAPA provides on-going review and adjustment of inventory, access to automotive and heavy-duty replacement parts and delivery of non-stocked parts. The inventory includes NAPA Products as well as Non-NAPA Products, based on FDO/Fleet and Fire Rescue's individual requirements. The Agreement was made in accordance with the Palm Beach County Purchasing Code, which authorizes the County to purchase services and supplies from a competitively bid proposal or contract secured by another governmental entity or government-related association, in this case the National Joint Powers Alliance (NJPA) Contract No. 010511-GPC, now known as the Sourcewell Contract No. 061015-GPC (the Sourcewell Contract). The County chose the Sourcewell Contract to piggyback due to its favorable terms. The Sourcewell Contract which was the subject of this County piggyback has been extended by Sourcewell through July 21, 2021. Accordingly, FDO/Fleet and Fire Rescue desire to amend the Agreement to extend the Agreement through July 21, 2021. The Agreement contains local preference language for all parts and products purchased. This Amendment adds to the Agreement a Small Business Enterprise price preference for all parts and products purchased and adds the County's standard language regarding the Equal Business Opportunity Ordinance. The Office of Equal Business Opportunity has approved this extension. (FDO/Fleet/Purchasing) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

11. Staff recommends motion to:

A) approve a Donation Agreement (Donation Agreement) with Gulfstream Goodwill Industries, Inc., a Florida not for profit 501(c)(3) corporation (Goodwill) for the County's donation of a 2019 Club Car Utility Cart (Utility Cart) for use in providing services to the County's emergency homeless shelter (EHS); and

B) authorize the County Administrator or designee, which in this case shall be the Director Facilities Development & Operations, to execute a Bill of Sale transferring title of the Cart from the County to Goodwill.

SUMMARY: On April 14, 2020, the Board of County Commissioners approved a Contract for Provision of Services (Operating Agreement) with Goodwill (R2020-0388) whereby Goodwill will provide temporary emergency shelter assistance to the homeless residents of Palm Beach County. The Donation Agreement authorizes the County to donate a Utility Cart to Goodwill to facilitate Goodwill's and the County's contracted security provider's provision of services at the EHS. The Utility Cart has a surplus value of \$8,087. The Donation Agreement provides that: **(i)** the County transfer title and possession of the Utility Cart within ten days and **(ii)** Goodwill accepts the Utility Cart in "as-is" condition. The Donation Agreement also provides that Goodwill shall: **(i)** only use the Utility Cart for providing services at the EHS; **(ii)** repair and maintain the Utility Cart at its sole cost and expense; **(iii)** assume the entire risk of loss and damage to the cart and **(iv)** offer to transfer title to the Utility Cart back to the County in the event Goodwill no longer needs the cart to provide services at the EHS or upon the termination of the Operating Agreement. The capital project budget approved by the BCC on April 14, 2020 for the EHS will be the funding source for surplus value payment to Fleet Management. (FDO Admin) Countywide (LDC)

12. Staff recommends motion to:

A) adopt a resolution authorizing an Amended and Restated Lease Agreement (Lease) with State of Florida Department of Juvenile Justice (DJJ) for the continued use of approximately 0.47 acres of land and a 2,000 SF +/- building, f/k/a the Katherine Price Lodge located at 1025 NW Avenue D in Belle Glade for the operation of a Juvenile Probation Unit serving boys and girls in Belle Glade and the Western Communities on a non-residential basis; and

B) approve an Amended and Restated Lease Agreement with DJJ commencing June 6, 2020 and extending until June 5, 2030, for \$1 per year.

SUMMARY: On June 6, 2000, the County approved a Lease Agreement (R2000-0755) with DJJ for DJJ's operation of a Residential Treatment Center/Group Home for girls. On July 10, 2001, the Board approved the First Amendment (R2001-1033) authorizing use of the property for DJJ's Juvenile Probation Unit serving boys and girls in Belle Glade and the Western Communities on a non-residential basis. The current term of the Lease expires June 5, 2020. This Amended and Restated Lease Agreement will extend the term of the lease for ten years. Either party may terminate the Lease upon twelve months' notice. The annual rent is \$1 per year. DJJ is responsible for the payment of all utilities, maintenance, repairs, removal of its property and restoration of the premises at expiration or termination of the Lease. (PREM) District 6 (HJF)

3. CONSENT AGENDA APPROVAL

H. **FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)**

13. **Staff recommends motion to approve:** a Vending Service License Agreement (Agreement) with the State of Florida Department of Education, Division of Blind Services (Division) to provide vending services at 16 County-owned locations commencing June 2, 2020 through June 1, 2021 with automatic one year renewals at an annual license fee of \$10. **SUMMARY:** The County and Division entered into three Agreements dated January 23, 1990 (R90-165-D) August 7, 1990 (R90-1327-D), and October 1, 1991 (R91-1379-D) for the provision of vending services at the South County Courthouse, Four Points Center Complex and the Belle Glades Office Complex. The County and Division wish to install vending equipment at 13 additional County locations. This Agreement will terminate and replace the existing three Agreements and add 13 locations as set forth below. The initial term will extend for one year, with automatic annual renewals unless terminated by the either party upon 120 days' notice. The license fee will be \$10 annually.

Four Points Centre Complex	Philip D. Lewis Center
North County Courthouse	North County Senior Center
South County Courthouse	Mid County Senior Center
Mayme Frederick Building	Community Services
Glades Office Complex	West County Senior Center
CROC Administration Building	CROC Operations & Maintenance Building
SROC Operations and Maintenance Building	Customer Service Complex
Southern Region Waste Water Treatment Plant	Water Treatment Plant #9

The Facilities Management Division will have administrative responsibility for this Agreement. (PREM) Countywide (HJF)

J. **PLANNING, ZONING & BUILDING**

1. **Staff recommends motion to approve:** the appointment of one member to the Construction Board of Adjustments and Appeals (CBAA).

<u>Appoint</u>	<u>Seat</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated by</u>
Jessica Dornblaser	4	Architect	06/02/20-06/01/23	American Institute of Architects (AIA) Palm Beach Chapter

SUMMARY: Jessica Dornblaser has been nominated by the American Institute of Architects (AIA) Palm Beach Chapter to serve a three-year term as the architect on the Board. The term of office for Board members is three years, with a limit of three consecutive three-year terms. The Board has 11 seats with 9 currently filled and a diversity count of Caucasian: 8 (90%) and Hispanic: 1 (10%). The gender ratio (female: male) is 2:7. The nominee is a Caucasian female. Staff will continue to address the need to increase diversity on our boards. Countywide (CK)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to receive and file:** five executed Standard Potable Water and Wastewater Development Agreements for the month of February 2020.

A) Standard Potable Water and Wastewater Development Agreement with Palomino Gardens Retirement Community LLC, SDA #02-01158-000 (District 7), Recorded in OR BK 31239 PG 0966.

B) Standard Potable Water and Wastewater Development Agreement with Liberty Property Limited Partnership, SDA #01-01266-000 (District 2), Recorded in OR BK 31239 PG 0952.

C) Standard Potable Water and Wastewater Development Agreement with Richman Boca Development Partners, LLC, SDA #09-01092-000 (District 5), Recorded in OR BK 31239 PG 0977.

D) Standard Potable Water and Wastewater Development Agreement with Pebb Atlantic, LLC, SDA #09-01093-000 (District 5), Recorded in OR BK 31251 PG 1495.

E) Standard Potable Water and Wastewater Development Agreement with Meritage Homes of Florida, Inc., SDA #01-01267-000 (District 2), Recorded in OR BK 31276 PG 1151.

SUMMARY: In accordance with County PPM CW-0-051, all delegated contracts/agreements/grants/procurement items must be submitted by the initiating Department as a receive and file agenda item and are attached unless the documents have been recorded in the Public Records of Palm Beach County. The documents have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Palm Beach County Water Utilities Department in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the BCC to receive and file. Districts 2, 5 & 7 (MJ)

2. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 16 to the Consulting/Professional Services Utility Distribution & Collection System Engineering Services Contract (Contract) with Chen Moore and Associates, Inc. (Consultant) for the South Bay Force Main Improvements (Project) for a total amount of \$285,163.34. **SUMMARY:** On June 20, 2017, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2017-0816) with Consultant. CSA No. 16 provides for professional engineering services relating to design and permitting of the Project. These services include survey, construction plans, technical specifications, permitting, and bid support services for the installation of approximately 15,100 linear feet of 10-inch force main within the City of South Bay along the canal banks of South Florida Water Management District from the Repump Station No. 8310 to the Western Region Wastewater Treatment Facility. 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 100% SBE participation. CSA No. 16 includes 100% SBE participation. The cumulative SBE participation including CSA No. 16 is 99.34%. Consultant is headquartered in Fort Lauderdale, Florida, but maintains an office in Palm Beach County from which the majority of the work will be undertaken. The Project is included in the PBCWUD FY 20 Budget. (PBCWUD Project No. 20-026) District 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. **Staff recommends motion to approve:** a Partial Release of Utility Easement for that easement recorded in the Official Records of Palm Beach County, ORB 5773 Page 966. **SUMMARY:** Palm Beach County Water Utilities Department (PBCWUD) is seeking the release of the County's interest in a utility easement recorded in the Official Records of Palm Beach County as noted above. The Property Owner is requesting release of the portion of the easement that is no longer associated with any public potable water, reclaimed water and wastewater facilities. PBCWUD has determined that this portion of the easement is no longer required. PBCWUD has determined that the release of the easement will not affect existing or new public potable water, reclaimed water and wastewater facilities and therefore recommends approval of the release. District 7 (MJ)

4. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 13 to the Consulting/Professional Services General Utility, Architectural, and Value Engineering Services Contract (Contract) with Baxter & Woodman, Inc. (Consultant) for Operation and Condition Assessments for Repump Stations System 5 and 9-South (Project) for a fixed price of \$181,476.44. **SUMMARY:** On June 20, 2017, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2017-0815) with Consultant. CSA No. 13 provides for engineering services to identify and recommend improvements at the repump stations for the Project. The services include evaluation of existing system flows, assessment of existing operating conditions, and identification of improvements to be incorporated into the detailed design. 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 SBE Ordinance was 15% overall participation. The Contract provides for 26% SBE participation. CSA No. 13 includes 42.80% SBE participation. The cumulative SBE participation including CSA No. 13 is 34.56%. Consultant is headquartered in Crystal Lake, Illinois, but maintains an office in Palm Beach County from which the majority of the work will be undertaken. The Project is included in the PBCWUD FY20 Budget. (PBCWUD Project No. 20-024) Districts 3 & 5 (MJ)

5. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 24 to the Consulting/Professional Services Utility Distribution & Collection System Engineering Services Contract (Contract) with Mock, Roos & Associates, Inc., (Consultant) for the West Boca Force Main Interconnect Program (Project) for a fixed price amount \$107,387.91. **SUMMARY:** On June 20, 2017, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2017-0818) with Consultant. CSA No. 24 provides for professional engineering services to design up to three interconnecting pipes to improve force main redundancy in the western Boca Raton service area. These services include data collection, survey, construction plans and permitting. 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 97% SBE participation. CSA No. 24 includes 89.01% SBE participation. The cumulative SBE participation including CSA No. 24 is 81.75%. Consultant is a Palm Beach County Company. This Project is included in the PBCWUD FY20 Budget. (PBCWUD Project No. 20-027) District 5 (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to receive and file:

A) Task Assignment Change Order No. 1, to Task Assignment No. IP8, Contract No. FWC11357 (R2012-0573) with Florida Fish and Wildlife Conservation Commission (FWC), to add Fluridone liquid and pellets as aquatic vegetation controls on Lake Osborne. This Change Order No. 1 does not alter the original cost reimbursement of \$65,852, nor the original completion date of June 30, 2020; and

B) Task Assignment Change Order No. 2, to Task Assignment No. IP8, Contract No. FWC11357 (R2012-0573) with FWC, to add 100 acres of approved floating plants to Lake Osborne. Change Order No. 2 does not alter the original cost reimbursement of \$65,852, nor the original completion date of June 30, 2020.

SUMMARY: On April 17, 2012, the Board of County Commissioners approved FWC Contract No. FWC11357 (R2012-0573) (Contract) for aquatic vegetation control services in the following lakes: Clarke, Ida, Osborne, and Pine. Delegated authority to execute all future time extensions, task assignments, certifications, and any other forms associated with this Contract was approved at that time. This Contract facilitates County treatment and control of aquatic exotic plants within the Chain of Lakes. County work is reimbursed by FWC. In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. Countywide (SS)

2. Staff recommends motion to receive and file: Task Assignment Change Order No. 1, to the State of Florida, Department of Environmental Protection (FDEP) Amended and Restated Contract No. GC896 (R2019-1174) (Contract), Task Assignment No. GC896-04, provides a decrease of state funding for variable bonus payments of petroleum cleanup in the amount of \$15,000. The task performance period is for July 1, 2019 to June 30, 2020. **SUMMARY:** On June 21, 2016, the Board of County Commissioners approved FDEP Contract No. GC896 (R2016-0787) to administer the Petroleum Restoration Program through the Department of Environmental Resources Management (ERM). Delegated authority to sign all future time extensions, task assignments, certifications, and other forms associated with this Contract was approved at that time. Task Assignment No. GC896-01 (R2016-1603) was approved November 1, 2016, Task Assignment No. GC896-02 (R2017-1592) was approved October 17, 2017, Task Assignment No. GC896-03 (R2018-1208) was approved August 14, 2018, and Task Assignment No. GC896-04 (R2019-1174) was approved August 20, 2019. The total budget amount for Task Assignment No. 4 is \$497,333, which provides for bonus incentives that cannot exceed \$29,133. Task Assignment Change Order No. 1, upon the request of FDEP, is for a reduction of \$15,000 from the total incentive payment \$29,133. Task Assignment No. 4 projected incentive payments should not exceed the new total of \$14,133. In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating department as a receive and file agenda item. There is no cost to the County. Countywide (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. Staff recommends motion to approve: Task Order No. 1543-06 to a continuing contract (R2019-1543) with Olsen Associates, Inc. (Olsen) in the amount of \$153,904 to provide professional engineering, environmental surveys, reporting, and documentation to be used in permit required monitoring. **SUMMARY:** The Board of County Commissioners approved the Consultants' Competitive Negotiation Act (CCNA) contract with Olsen, a Jacksonville company, on October 8, 2019 (R2019-1543). Task Order No. 1543-06 authorizes Olsen to conduct yearly topographic and hydrographic surveying required by project permits. The task order also contains optional tasks for post-hurricane surveys and damage assessment reports to aid in securing disaster assistance funding. Costs will be paid from the Beach Improvement Fund. Office of Equal Business Opportunity's Goal Setting Committee set a 20% minimum mandatory Small Business Enterprise (SBE) subcontracting goal as the Affirmative Procurement Initiative for the Contract. Olsen has agreed to 24% SBE participation. The SBE participation for this Task Order is 71.4%. Districts 1 & 4 (YBH)

4. Staff recommends motion to:

A) approve Amendment Number Two (Amendment) to Joint Partnership Agreement, Contract No. ARX-05 (Agreement), with the Florida Department of Transportation (FDOT) for monitoring and maintenance of Snook Island/Bryant Park and Snook Island II mitigation areas at a cost not to exceed \$110,000, with an expiration date of June 30, 2023;

B) adopt a resolution to authorize entering into this Amendment as a requirement of FDOT; and

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

SUMMARY: The Amendment combines FDOT Agreements ARQ-58 (R2014-1767) and ARX-05 (R2015-0725) for the reimbursement of County staff and costs associated with the monitoring and maintenance of the Snook Island/Bryant Park and Snook Island II mitigation areas up to \$110,000. These projects provide seagrass and mangrove mitigation credits for Southern Boulevard Bridge and other FDOT bridge replacement projects. The Amendment also extends the time for this agreement until June 30, 2023. There is no cost to the County. District 3 (SS)

P. COOPERATIVE EXTENSION SERVICE

1. Staff recommends motion to approve: a Grant agreement with Southern Unique Sustainability Farm, LLC (Southern Unique) in an amount not to exceed \$19,870 from Agricultural Economic Development Program funds to assist in expanding their existing poultry operation located at 20199 Cole Lane, Loxahatchee, Florida 33470. **SUMMARY:** Southern Unique is a ten-acre mixed-use poultry farm in Loxahatchee, FL. Less than one year ago, this property was mostly sandy soils devoid of organic top soil. Since then Southern Unique has significantly improved this parcel by planting pasture grasses, digging several water retention ponds, and building a breeder coop to house egg-laying chickens. This agricultural facility now maintains 800-1200 non-caged pasture-raised hens that generate locally-grown chickens and eggs for chefs and stores that value these low-input natural production practices. The Palm Beach County Agricultural Enhancement Council has reviewed the request and supports funding for these agricultural enhancement activities. District 6 (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to receive and file: Grant Adjustment Notices (GANs) 2 and 3 for the Florida Department of Law Enforcement (FDLE) Edward Byrne Memorial Justice Assistance Grant (JAG) 2019-JAGC-PALM-1-N2-143 for the period of October 1, 2017 to September 30, 2020 relating to special condition documentation and budget reallocation. **SUMMARY:** Palm Beach County was allocated \$322,513 in Federal FY17 (County FY18) as part of the FDLE JAG Program (2019-JAGC-PALM-1-N2-143), (catalog #16.738) for the Reentry Program. GAN 2 approved by FDLE on November 25, 2019, provides for clearance of special conditions that restricted the drawdown of awarded funds. GAN 3 approved by FDLE on April 1, 2020, provides for reallocation of \$49,745 that was originally approved for salary and benefits for an additional reentry coordinator. A delay in hiring the new position created lapse funding which was reallocated to client support services. GAN(s) 2 and 3 were executed on behalf of the Board by the Executive Director of the Criminal Justice Commission, in accordance with R2019-1196. No County matching funds are required for this grant. Countywide (JW)

2. Staff recommends motion to receive and file:

A) grant award 2020-JAGC-PALM-2-Y5-030 from the Florida Department of Law Enforcement (FDLE), Edward Byrne Memorial Justice Assistance Formula Federal FY18 (County FY19) Grant (JAG), in the amount of \$272,532 to fund the Reentry Program for the period October 1, 2018 through June 30, 2020;

B) grant award 2020-JAGC-PALM-1-Y5-092 from FDLE Federal FY18 (County FY9) JAG in the amount of \$50,000 to fund the PalmFUSE Project for the period October 1, 2018 through June 30, 2020; and

C) Grant Adjustment Notices (GANs) 1, 2, 3 and 4 for Grant 2020-JAGC-PALM-2-Y5-030.

SUMMARY: Palm Beach County was allocated \$322,532 in Federal FY18 (County FY19) funds as part of the FDLE JAG Program (CFDA#16.738) for expenditure from October 1, 2018 through September 30, 2020. The Criminal Justice Commission (CJC) approved recommendations made by the CJC's Finance Committee to allocate these funds to the existing Reentry Program in the amount of \$272,532 and the PalmFUSE Program in the amount of \$50,000. The Reentry Program provides transitional services to juveniles and adults reentering society from jail and prison. The grant funds contractual services with providers for outreach services, case management, and support services. The PalmFUSE Program seeks to break the cycle of incarceration and homelessness among individuals with complex behavioral health challenges. The grant funds a portion of County FY19 of a 100% grant funded PalmFUSE Program Coordinator (pay grade 30) position. Grant Adjustment Notice (GAN) 1 was created in error by FDLE. GAN 2 was created by FDLE to establish special conditions as a result of delinquent performance reporting. GAN 3 was created by FDLE to remove special conditions for delinquent reporting. GAN 4 adjusts the budget to fully expend the grant funds. The JAG funds were held nationwide until June 26, 2018, due to a federal lawsuit. This award will retroactively compensate the County for the program expenditures during County FY19. On April 3, 2019, the CJC received notice from FDLE of the release of these funds and the application was approved by the BCC at their September 10, 2019 meeting. Grant award 2020-JAGC-PALM-2-Y5-030 was executed on December 10, 2019 and grant award 2020-JAGC-PALM-1-Y5-092 on March 9, 2020. These two awards and four GANs were executed on behalf of the Board by the Executive Director of the CJC in accordance with R2019-1389. No County matching funds are required for this grant. Countywide (JW)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to approve: standard agreements for swimming lessons for the period retroactive to March 1, 2020 through September 30, 2020 with:

- A) City of Boynton Beach;
- B) Small Fish Big Fish Swim School, LLC;
- C) Village of Wellington;
- D) City of West Palm Beach; and
- E) The Young Men's Christian Association of the Palm Beaches, Inc.

SUMMARY: On September 27, 2005, the Board adopted Resolution Number R2005-1906 authorizing the County Administrator or designee (the Fire Rescue Administrator), to execute standard agreements with municipalities and independent contractors to provide swimming lessons to members of the public through the Palm Beach County Drowning Prevention Coalition's Learn to Swim Program. The resolution further states that if the total amount budgeted for swimming lesson vouchers exceeds \$80,000 in any fiscal year, all agreements for that fiscal year shall be presented to the Board for approval. In FY 2020, the budget for swimming lesson vouchers is \$84,482. Unfortunately, this budget provision was recognized after the standard agreements were distributed to various agencies for their execution, and the agreements included a start date of March 1, 2020. Countywide (SB)

2. Staff recommends motion to ratify:

A) a FY 2019 Assistance to Firefighters Grant (AFG) application electronically submitted to the U.S. Department of Homeland Security's (DHS) Federal Emergency Management Agency (FEMA) on March 13, 2020, requesting \$1,502,138.18 to fund 90% of the purchase of 78 Lifepak cardiac monitor/defibrillators (version 4), for a term beginning 12 months from the date of award; and

B) the designation of the County Administrator or designee to act as the County's representative for the purpose of electronically signing and submitting the FY 2019 AFG grant application, including Assurances and Certifications via the DHS FEMA website.

SUMMARY: This grant application requests \$1,502,138.18 from DHS FEMA for the purchase of 78 Lifepak cardiac monitor/defibrillators (version 4) which will replace the department's obsolete cardiac monitors. The total project cost identified in the grant application is \$1,652,352. The required match for this grant is \$150,213.82 (10% of the federal share), which will be funded from Fire Rescue's contingency reserve and has been included in the FY 2020 budget. If awarded, the grant will provide funding to replace the current fleet of cardiac monitors that are currently obsolete and no longer available to be repaired. The cardiac monitor is an integral piece of equipment used on most emergencies Fire Rescue personnel mitigate. The monitor allows rescue personnel to diagnose and treat patients during medical emergencies and transfers the information to the patient care reporting system, which improves efficiency, but it also transmits lifesaving data to the receiving hospital. Due to the preparation time, submittal deadlines, and BCC meeting dates, the grant application had to be submitted prior to full Board approval. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

3. Staff recommends motion to accept: an Ingress, Egress and Access Easement granted from Penn Florida Club Properties II, LLC, a Delaware limited liability company (Grantor) to County (Grantee), for the purpose of providing access for fire rescue and emergency services to Whitehall Condominium, which abuts the Easement Premises, and to Grantor's property. **SUMMARY:** On August 15, 2017, the Board held a public hearing to adopt a resolution to abandon all of the 60 foot wide right-of-way (ROW) for Balboa Lane, as recorded in the plat of Boca Del Mar No. 2, Plat Book 30, Page 80, Public Records of Palm Beach County (Resolution), to allow redevelopment of the Boca Del Mar Clubhouse at Mizner Golf and Country Club. The ROW functioned as a secondary driveway for access to the clubhouse, the Whitehall Condominium Property and the golf course maintenance facilities. The ROW was located west of Military Trail, south of Palmetto Park Road, east of Powerline Road and north of Camino Real. The Board adopted the Resolution, as amended at the public hearing to require Fire Rescue access. Upon receipt of the Ingress, Egress and Access Easement, the Clerk executed the Resolution, as amended, which is to be recorded in the public records of Palm Beach County. Upon the Board's acceptance of the Easement, it will be recorded in the public records of Palm Beach County. District 4 (SB/YBH)

X. PUBLIC SAFETY

1. Staff recommends motion to:

A) approve a contract for Professional Services in the area of veterinary and medical services with Dr. Linda Gregard, DVM PLLC, for relief veterinary services at the main shelter in an amount not to exceed \$24,000 for the period June 2, 2020 through June 1, 2021; and

B) authorize the County Administrator or designee to sign all future renewals, task assignments, and necessary minor amendments that do not change the scope of work or terms and conditions of the contract after approval of legal sufficiency by the County Attorney's Office and within budget allocations.

SUMMARY: The Animal Care and Control Division is required to provide appropriate and necessary veterinary services for sheltered animals. The relief veterinarian will enable staff to maintain an acceptable number of veterinarians to handle the volume of animals processed, especially during periods of high influx. Countywide (SF)

2. Staff recommends motion to:

A) receive and file a contract agreement with Florida Commission on Community Service dba Volunteer Florida serving as the administrative agency for the FY 2019-20 Federal Emergency Management Performance Grant Program for the period retroactive to July 1, 2019 through May 31, 2020, in the amount of \$5,000 for Citizen Corps program initiatives to include Community Emergency Response Team training and associated supplies; and

B) approve a downward budget amendment of \$2,000 in the Emergency Management Fund to adjust the budget to the actual grant award.

SUMMARY: This is an annual grant (CFDA # 97.042) from Volunteer Florida that will be used for Citizen Corps program activities which includes CERT training and related supplies. This contract was received on February 25, 2020, hence the delay in requesting approval to fund this program. The contract was executed by Volunteer Florida on March 30, 2020. R2012-1731 authorized the County Administrator or designee to execute these agreements on behalf of the Board of County Commissioners. In-kind donation of volunteer hours will be used to fulfill the matching requirement of \$5,000 for the Citizen Corps grant. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. Staff recommends motion to approve: one “At Large” appointment to the Emergency Medical Services Advisory Council (EMS Council) to complete the unexpired term ending September 30, 2020 and begin a full three year term commencing from October 1, 2020 through September 30, 2023.

<u>Nominee</u>	<u>Seat</u>	<u>Designation</u>	<u>Nominated by</u>
Maggie Gill	20	PBC Tenet Hospital CEO	Tenet Palm Beach Group

SUMMARY: Per Resolution R2014-0100, the Board of County Commissioners approved a representative make-up of the EMS Council to include 20 members. Thirteen members are representatives of the various components of the EMS system with specific requirements and seven members are Commission District Consumer appointments. The previous occupant of this seat resigned October 11, 2019. A letter was sent on November 20, 2019, to the Tenet Palm Beach Group requesting a new nominee. The one nominee is a Caucasian female who will complete the former member’s Council term and begin a full three year term commencing October 1, 2020. With the appointment to this seat, the EMS Council will have 19 seats filled. The EMS Council will have a diversity count as follows: Caucasian: 18 (95%) and African American: 1 (5%). The gender ratio (male: female) will be 11:8. Countywide (LDC)

Z. RISK MANAGEMENT

1. Staff recommends motion to approve: an amendment effective January 1, 2020, to the Palm Beach County Board of County Commissioners Section 125 Flexible Spending Plan Document, as previously Amended and Restated effective January 1, 2015, that allows the health Flexible Spending Account (FSA) to reimburse for over-the-counter (OTC) drugs without a prescription, and reimbursement for menstrual care products as medical expenses. **SUMMARY:** The Coronavirus Aid, Relief, and Economic Security Act (the CARES Act) passed in March 2020 and amended the Internal Revenue Code effective January 1, 2020 to allow health FSAs to reimburse the cost of OTC drugs without a prescription, and allow reimbursement for menstrual products. Countywide (HH)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to:

A) adopt a Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving a Public Transportation Grant Agreement (FM no. 444671-1-94-01) with the State of Florida Department of Transportation (FDOT), in the amount of \$671,000, to provide capital assistance to offset costs of acquiring software and equipment for scheduling and routing of service in the non-urbanized (Lake Region) areas of Palm Beach County;

B) rescind the BCC prior approval of an amendment to a Public Transportation Grant Agreement (PTGA) with FDOT for \$671,000 (FM#444671-1-94-01 R-2019-1934), and

C) approve a budget transfer of \$671,000 in Palm Tran's Grant Fund 1341 to segregate the grant funds into a new unit.

SUMMARY: The Public Transit Service Development Program was enacted by the Florida Legislature to provide initial funding for special projects. The program is selectively applied to determine whether a new or innovative technique or measure can be used to improve or expand public transit services. Service Development Projects specifically include projects involving the use of new technologies. The funds are programmed to acquire new scheduling and routing software to manage the on-demand aspects of the service in the Lake Region. No County funds are required as a match for this grant. The PTGA will become effective upon execution in full by both parties, and has an expiration date of May 31, 2023. The grant agreement contains an indemnification provision that differs from that adopted for use by the County and imposes obligations beyond those recognized by County PPM CW-F-049 (PPM). The grant agreement requires the County to indemnify and hold harmless the State, FDOT, and FDOT's officers and employees from liabilities, damages, losses and costs, including reasonable attorney's fees, to the extent caused by the negligence, recklessness, or intentional wrongful misconduct of the County and persons employed or utilized by the County in performance of the grant agreement. An exception to the PPM has been approved by Risk Management and the County Attorney taking into consideration the County's need to provide Go Glades public transit services, its current performance of such services, and exposure/liability for its acts, and the amount of the grant award. The indemnification obligation must also be passed on to contractors and/or consultants. District 6 (DR)

3. CONSENT AGENDA APPROVAL

CC. MEDICAL EXAMINER

1. Staff recommends motion to:

A) receive and file a subrecipient agreement for federal grant funding assistance through Florida's administering agency: The Florida Department of Law Enforcement (FDLE) in the amount of \$2,784 for the purchase of four Nikon DSLR cameras for the Medical Examiner's Office for the period of January 1, 2020 through December 31, 2020; and

B) approve a downward budget amendment of \$216 in the General Fund to adjust the budget to reflect the actual grant award of \$ 2,784.

SUMMARY: The United States Department of Justice, Office of Justice Programs, National Institute of Justice has awarded the FY2019 Paul Coverdell Forensic Sciences Improvement Act Formula Grant Program, CFDA No. 16.742; federal grant award number 2019-CD-BX-0011, to the Palm Beach County Medical Examiner's Office, through the FDLE. The grant funding will be used to replace the current cameras. On June 4, 2013 (R2013-0704), the County Administrator or designee was authorized to execute future grant agreements, amendments, and modifications with the FDLE. No County match is required for this grant. Countywide (SF)

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JUNE 2, 2020

4. SPECIAL PRESENTATIONS – 9:30 A.M.

A) [COVID-19 Update by Dr. Alonso and County Staff](#)

B) ADD-ON: Palm Beach County Black Elected Officials Presentation

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5. REGULAR AGENDA

A. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

1. [Staff recommends motion to receive and file:](#) a presentation on property values and the Property Appraiser's FY 2021 budget proposal. **SUMMARY:** The Property Appraiser will provide a presentation on property values and the Property Appraiser's FY 2021 budget proposal (Time: 15 Minutes) Countywide (DB)

B. ENGINEERING & PUBLIC WORKS

1. [Staff recommends motion to adopt:](#) a resolution delegating authority to the County Administrator or designee to execute subordination of utility interests (Subordination) instruments associated with right-of-way conveyances from developers and property owners. **SUMMARY:** Adopting this resolution will authorize the County Administrator or designee to execute developer funded Subordination instruments when a utility company is required to subordinate their easement interest associated with a right-of-way conveyance. Subordination instruments require the utility company to relocate any facilities it may have in the right-of-way, when and if requested by Palm Beach County (County); require the County to pay for reasonable relocation costs of said facilities; and are routine standard instruments that do not vary. Prior to the County processing a Subordination instrument, developers/property owners with development conditions are required to provide a payment to the County for those future relocation costs. Countywide (YBH)

C. FACILITIES DEVELOPMENT AND OPERATIONS

1. [Staff recommends motion to:](#)

A) adopt a resolution authorizing the conveyance of the County's interest in one parcel of surplus property to the City of Boynton Beach without charge pursuant to Section 197.592(3), Florida Statutes, and with reservation of mineral and petroleum rights, but without rights of entry and exploration; and

B) approve a County Deed in favor of the City of Boynton Beach.

SUMMARY: In January 2020, the County acquired by tax deed a 50' x 29' unbuildable parcel located at NW 1st Street within the municipal boundaries of the City of Boynton Beach. The parcel serves no present or future County purpose. The parcel is being conveyed to the City pursuant to Section 197.592(3), Florida Statutes, which requires the conveyance of surplus properties acquired by tax deed to the municipality in which it is located. This conveyance will relieve the County of potential liability for occurrences on the property. The County will retain mineral and petroleum rights in accordance with Florida Statutes Section 270.11, but without rights of entry and exploration. **This conveyance must be approved by a Supermajority Vote (5 Commissioners).** (Property & Real Estate Management) District 7 (HJF)

2. **ADD-ON:** [Staff recommends motion to:](#)

A) approve a finding of emergency establishing that the design and renovation of the two County-owned improved properties is at this time the most effective way to meet the non-congregate sheltering needs of the Western Communities and that the delay associated with complying with all governing rules, regulations, or procedures would be detrimental to the interests, health, safety, and welfare of the County;

B) approve the use of up to \$5,000,000 of CARES Act funding allocated to Non-Congregate Sheltering for the renovation of the Pahokee Facility;

C) authorize the County Administrator or her designee which in this case shall be the Director of Facilities Development & Operations, to execute all emergency design and construction contracts necessary to renovate the Pahokee and Belle Glade Facilities; and

D) authorize the County Administrator or her designee to commence direct negotiations with a not-for-profit provider to operate both facilities pursuant to an operator agreement substantially similar to the operation of Program Reach, which provides emergency and supporting housing to families on the coast.

SUMMARY: On April 6, 2020, the Palm Beach County Board of County Commissioners received authorization from the Federal Emergency Management Agency (FEMA) to conduct non-congregate sheltering activities under the Public Assistance Program as part of the response to the coronavirus emergency. Under this authorization, the County entered into six reservation/buyout agreements with different hotels for the provision on non-congregate sheltering in the North, South and Central geographical regions of the County. All efforts to secure such agreements in the Western Communities proved unsuccessful. Staff has identified two County-owned properties that could be renovated and repurposed to provide for non-congregate sheltering in the Western Communities. To implement the multisite non-congregate sheltering program, a capital appropriation of up to \$5,000,000 of CARES Act funding will be required for the Pahokee facility and an additional \$500,000 in funding for capital improvements at the Belle Glade facility. Annual operational costs for both sites are estimated at \$2,200,000. (FDO Admin) District 6/Countywide (LDC)

5. REGULAR AGENDA CONTINUED

D. WATER UTILITIES

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County Florida revising the Palm Beach County Water Utilities Department's (PBCWUD) Uniform Policies and Procedures Manual (UPAP). **SUMMARY:** The UPAP contains fees, standards, legal documents, policies and procedures that govern the provision of potable water, reclaimed water and wastewater services within the PBCWUD service area. PBCWUD updates the UPAP from time to time to ensure compliance with recently enacted laws and ordinances to ensure that it continues to enable effective and efficient delivery of utility services. The proposed changes to the UPAP contained in the resolution include: modification to allow the Department Director to have the authority to modify/waive rates, fees, and charges not to exceed \$200,000 for new or existing customers where there are unusual or extenuating circumstances which support the application of said modification or waiver; when the modification or waiver results in a documented projected positive operational and/or financial benefit to PBCWUD which is greater than or equal to the amount of the modification or waiver; and when the modification or waiver is based on sound utility ratemaking principles and in compliance with applicable law. (Chapter 1); define composition of the Administrative Review Panel to handle Customer's disputes (Chapter 2); modification to allow Developers to extend capacity reservation for unused Equivalent Residential Connections at the original agreement rate before the expiration of the previous five year term, and to renew agreements up to one year after the expiration of the agreement (Chapter 3); addition of Environmental Requirements for all new developments and redevelopments (Chapter 4); addition of the Environmental Protection Agency compliance of the Dental Amalgam and Hazardous Waste Pharmaceutical Programs (Chapter 5); and modification of Construction Plan Review and Inspection Fees for residential and non-residential customers (Chapter 6). A more detailed summary of the proposed changes is attached to this agenda item. The proposed changes were reviewed and approved by the PBCWUD Advisory Board on April 24, 2020. (Finance and Administration) Countywide (MJ)

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JUNE 2, 2020

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

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

B. COUNTY ATTORNEY

JUNE 2, 2020

8. 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

Request for off-site Proclamation declaring June 21, 2020 as Make Music Palm Beach County Day

District 5 - COMMISSIONER MARY LOU BERGER

District 6 - COMMISSIONER MELISSA MCKINLAY

District 7 – COMMISSIONER MACK BERNARD

JUNE 2, 2020

9. MATTERS BY THE PUBLIC – 2:00 P.M.

JUNE 2, 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."