

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

DECEMBER 15, 2020

<u>PAGE</u>	<u>ITEM</u>	
12	3E-6	REVISED MOTION: Staff recommends motion to approve: A) Amendment No. 3 to the Intergovernmental Agreement for Provision of Ryan White Part A HIV Health Support Services with the Florida Department of Health in Palm Beach County (FDOH) (R2018-0830), for the period March 1, 2018 through February 28, 2021, to decrease funding in the amount of \$121,954 for a new total Grant Year (GY) 2020 amount not-to-exceed \$520,000, for an overall not-to-exceed amount of \$1,837,029 <u>\$1,670,029</u> for the term of the agreement, for the provision of improving health outcomes for persons living with HIV/AIDS; (Comm Svs)
13	3H-1	REVISED SUMMARY: On December 19, 2017, the Board of County Commissioners (Board) approved the Agreement in the amount of \$454,000 for the design, permitting, fabrication and installation of "Light Play" sculptural screens for the Palm Beach County Convention Courtyard. <u>Regulatory review of the construction drawings by the City of West Palm Beach Construction Services Department resulted in a requirement for two additional gates (to provide for life-safety ingress and egress), which were incorporated into the approval of the First Amendment to the contract. Said amendment not only provided for the design, permitting, fabrication and installation of the two additional gates but also artist oversight of the entire Courtyard design and construction phases. The Second Amendment to the contract provided for a net deduction of the total contract price resulting from modifications to the project's design and scope of work. The Third Amendment to the contract provided for a time extension to complete security design and engineering work and to ensure adequate coordination with Convention Center facility rental bookings.</u> (FDO)
36	6B-4	ADD-ON: Staff recommends motion to authorize: the County Administrator or designee to amend Agreement R2020-0507 with the Health Care District of Palm Beach County to increase the not-to-exceed amount if additional CARES Act funds are available for disbursement. SUMMARY: This item seeks to authorize the County Administrator or designee to amend the Agreement to increase the contribution should there remain CARES Act funding available for disbursement. If CARES Act funds are not used to cover costs incurred by December 30, 2020, then those funds must be returned to the Department of Treasury. The authorization sought is needed to allow for a timely amendment of the Agreement to increase the contribution prior to the December 30, 2020 deadline. The Health Care District has been an integral and critical partner in Palm Beach County's COVID-19 response efforts. The Health Care District is currently providing testing services at multiple locations in Palm Beach County including The FITTEAM Ballpark of the Palm Beaches, the South County Civic Center, Lakeside Hospital, three fixed clinic locations, various pop-up community sites, and public schools. They are also working with County staff and the Palm Beach County Health Department in the preparation of a COVID-19 vaccination plan. Under the terms of Agreement R2020-0507, Amendment #1 (R2020-1629), and Amendment #2 (R2020-1787), the Health Care District is being reimbursed for expanding their testing services through the use of mobile health units that target underserved neighborhoods and communities where additional testing and future vaccination services will be needed and allows for additional medical response expenses incurred after March 1, 2020, to be reimbursed by the County. Coronavirus Aid, Relief, and Economic Security Act funding will be used for this purpose. The expenditures must be completed by December 30, 2020. <u>Countywide</u> (DB)

ADD-ON: Staff recommends motion to: A) approve a budget transfer of \$1,395,000 from contingency reserves to appropriate funding to Facilities Development and Operations; **B) authorize** the continuation of emergency cleaning services as required in response to the coronavirus pandemic to be funded out of the general fund; and **C) approve** an increase of \$755,000 over the previous authorized amount of \$5,487,413.13 of term contract for custodial services (Master Agreement #19047) for the period of June 1, 2020 through May 31, 2021. **SUMMARY:** On March 1, 2020, the Governor of the State of Florida issued a Public Health Emergency due to the COVID-19 pandemic followed by the issuance of a State of Emergency on March 9, 2020. Palm Beach County also issued a local state of emergency on March 13, 2020. Consistently, guidance issued by federal, state and local health agencies has called for improved cleaning and disinfecting procedures to be implemented in public facilities, with a special focus on high-touch surfaces. The Facilities Development and Operations Department (FDO) is responsible for the coordination and oversight of routine cleaning services at a myriad of county facilities. Custodial services are provided per the conditions set forth on Master Agreement #19047 which is currently on its first term of a multi-year contract and which was executed by the County’s Director of Purchasing. County facilities located in the five geographical regions under the contract are serviced by three contractors, United Services, Inc., Stockton Maintenance Group, Inc., and Dammel Cleaning Enterprise Inc. d/b/a Palm Beach & Broward Building Maintenance. Since the issuance of the state of emergency and consistent with the guidance issued by the Center for Disease Control and Prevention (CDC), FDO has coordinated for the provision of increased custodial services at county facilities. The increased level of services includes the addition of assigned custodial workers and the creation of custodial crews that are deployed to county facilities on an as needed basis to provide for emergency cleaning and disinfection. The Coronavirus Aid, Relief, and Economic Security (CARES) Act Relief Fund has been the funding source for this increased level of service. To date, a total \$417,676.68 has been paid for the increased cleaning services and additional invoices estimated at \$340,000 are expected to be received before the CARES Act funds sunset on December 30, 2020. Considering that: 1) the COVID-19 pandemic is still ongoing, 2) an increase in the number of reported COVID-19 positive cases has been recorded, and 3) CDC guidelines continue to highlight the need for frequent cleaning and disinfection of high-touch surfaces, staff is recommending to maintain the increased level of services past the expiration date of the CARES Act funds. As a result, funding from the general fund in an estimated amount of \$155,000 per month will be required to provide for additional custodial services until the end of the current fiscal year, leading to a budget transfer request from the contingency reserves in the amount of \$1,395,000. To accommodate the additional custodial services, an increase of \$755,000 over the previous authorized amount of \$5,487,413.13 of term contract for custodial services (Master Agreement #19047) for the period of June 1, 2020 through May 31, 2021, is required. (FDO ADMIN) Countywide (LDC) (FDO)

REVISED MOTION: Staff recommends motion to approve: two appointments to the Commission on Ethics (COE) Review Committee, effective December 8, 2020:

<u>Appointment</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
David H. Baker	Appointed by BCC	COE Commissioner Marino
<u>AND/OR</u> Andrea McMillan	Appointed by BCC	COE Commissioner McKinlay Commissioner Sachs Commissioner Marino Vice-Mayor Weinroth
<u>AND/OR</u> Chauncey Graham	Appointed by BCC	COE Commissioner McKinlay Commissioner Sachs Vice Mayor Weinroth

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**

DECEMBER 15, 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 6-31)**
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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. [Staff recommends motion to ratify:](#) the following Palm Beach County League of Cities (League) representatives to the Treasure Coast Regional Planning Council (TCRPC), beginning January 1, 2021 to December 31, 2021:

<u>Nominees</u>	<u>Seat No.</u>	<u>Representing</u>
<u>Regular appointments:</u>		
Anne Gerwig, Mayor	4	Village of Wellington
Jeff Hmara, Councilman	5	Village of Royal Palm Beach
Robert Gottlieb, Vice Mayor	6	Town of South Palm Beach
Abby Brennan, Mayor	7	Village of Tequesta
David Norris, President Pro Tem	8	Village of North Palm Beach
<u>Alternate appointments:</u>		
Joseph Peduzzi, Commissioner	4A	City of West Palm Beach
Regina Bohlen, Commissioner	5A	City of Pahokee
Kristine de Haseth, Commissioner	6A	Town of Ocean Ridge
John Linden, Commissioner	7A	Town of Lake Park
Chelsea Reed, Councilmember	8A	City of Palm Beach Gardens

SUMMARY: In accordance with the TCRPC Rules of Order, the Board of County Commissioners (BCC) appointed its members and alternates for the coming year before the Council’s annual meeting on December 11, 2020. The TCRPC Rules of Order also require the BCC ratify the League’s members. The League appointed the above municipal representatives at their November, 2020 meeting. Countywide (RPB)

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>
September 1, 2020	Regular

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

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve:

A) Change Order No. 10 with J.W. Cheatham, LLC (JWC) in the amount of \$396,641.74 and a time extension of 104 days for Silver Beach Road, east of Congress Avenue to Old Dixie Highway (R2018-1330) (Project).

B) a budget amendment of \$396,642 in the Road Impact Fee Fund – Zone 1 to recognize reimbursement funding from the City of Riviera Beach Utility Special District (City) and appropriate it to the Project.

SUMMARY: Per PPM CW-F-050, this change order exceeds the threshold of \$100,000 and allowable time extensions relating to staff approvals of change orders to contracts as calculated by multiplying the number of days of the time extension request by the liquidated damages amount in the executed contract, and requires the Board of County Commissioners approval. Change Order No. 10 will compensate JWC for costs and delays associated with removal, abandonment and relocation of existing City water main and sanitary sewer that were found to be in conflict with the construction of the proposed roadway; and will extend the contract time by 104 days resulting in a new completion day of April 20, 2021. The City agreed through Resolution 19-20UD to reimburse the full amount of Change Order No. 10 to Palm Beach County. The contract was approved on September 18, 2018, prior to the effective date of the Equal Business Opportunity Ordinance and pursuant to the Small Business Enterprise (SBE) Ordinance at the time. The SBE goal for all contracts is 15%. JWC committed to 15.5% SBE participation. The SBE participation for this change order is 1.4%, and the cumulative SBE participation to date, including this change order, is 11.3%. However, JWC expects to meet the SBE goal by completion of this contract. JWC is a Palm Beach County based company. District 7 (YBH)

2. Staff recommends motion to approve:

A) an agreement with Avenir Development, LLC (Avenir) in the amount of \$1,684,655.12 for the design and construction of the six lane widening of Northlake Boulevard from 140th Avenue North to Coconut Boulevard (Segment Widening) as part of Palm Beach County's (County) widening of Northlake Boulevard from east of Hall Boulevard to east of Coconut Boulevard (Project); and

B) a budget amendment of \$1,684,655 in the Proportionate Share Fund to recognize reimbursement funding from Avenir and appropriate it to the Project.

SUMMARY: Approval of this agreement will allow Avenir to reimburse the County \$1,684,655.12 for design and construction of the Segment Widening within the limits of the County's Project. The Segment Widening expands the County's Project to widen this portion of Northlake Boulevard from a two lane undivided roadway to a six lane divided roadway per Avenir's development order. The budget amendment is necessary to recognize the funding from Avenir for the design and construction modifications requested by Avenir for the Segment Widening. Districts 1 & 6 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

3. **Staff recommends motion to approve:** Work Order 2018051-140 in the amount of \$540,000 to mill and resurface El Clair Ranch Road from Lake Ida Road to Woolbright 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 meeting date, approximately \$35 million of Ranger's \$48.5 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 qualified certified SBE subcontractors, the Office of Equal Business Opportunity issued a waiver on January 17, 2020, that reduced the mandatory SBE participation to 5%. On June 2, 2020, the second renewal was approved, and continued with the reduced mandatory SBE participation of 5%. Ranger agreed to 5% SBE participation for this work order. Approval of this work order will result in a cumulative SBE participation of 9.2% for all the work orders issued under the Contract. **This project is funded through the infrastructure sales tax. District 5 (YBH)**

4. **Staff recommends motion to approve:** Work Order 2018051-141 in the amount of \$430,000 to mill and resurface Lantana Road from Florida's Turnpike to Hagen Ranch 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 meeting date, approximately \$35 million of Ranger's \$48.5 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 qualified certified SBE subcontractors, the Office of Equal Business Opportunity issued a waiver on January 17, 2020, that reduced the mandatory SBE participation to 5%. On June 2, 2020, the second renewal was approved, and continued with the reduced mandatory SBE participation of 5%. Ranger agreed to 5% SBE participation for this work order. Approval of this work order will result in a cumulative SBE participation of 9.2% for all the work orders issued under the Contract. **This project is funded through the infrastructure sales tax. District 3 (YBH)**

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

5. **Staff recommends motion to approve:** Work Order 2018051-142 in the amount of \$820,000 to mill and resurface Belvedere Road from Benoist Farms Road to Jog 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 meeting date, approximately \$35 million of Ranger's \$48.5 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 qualified certified SBE subcontractors, the Office of Equal Business Opportunity issued a waiver on January 17, 2020, that reduced the mandatory SBE participation to 5%. On June 2, 2020, the second renewal was approved, and continued with the reduced mandatory SBE participation of 5%. Ranger agreed to 5% SBE participation for this work order. Approval of this work order will result in a cumulative SBE participation of 9.2% for all the work orders issued under the Contract. **This project is funded through the infrastructure sales tax. District 2 (YBH)**

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** the appointment of one new member and reappointment of one current member to the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council:

<u>Seat No.</u> 24	<u>Appointment</u> Karen Creary Gipson	<u>Term Expires</u> 10/15/21
<u>Seat No.</u> 9	<u>Reappointment</u> Christopher H. Bish	<u>Term Expires</u> 12/14/23

SUMMARY: The Palm Beach County HIV CARE Council (HIV CARE Council) nomination process is an open process with publicized criteria and legislatively defined conflict of interest standards. Ms. Gipson and Mr. Bish have successfully completed the HIV CARE Council's nomination process and the HIV CARE Council recommends the new appointment and reappointment. The total membership for the HIV CARE Council shall be no more than 33 at-large members, per Resolution No. 2011-1560. Ms. Gipson will complete the unexpired term for Ms. Vicky Rossy-Woodley. The diversity count for the 21 seats that are currently filled is: African-American: 8 (38%), Caucasian: 8 (38%), Hispanic-American: 4 (19%) and Asian-American: 1 (5%). The gender ratio (female: male) is 10:11. Ms. Gipson is African-American and Mr. Bish is Caucasian. Staff conducts targeted outreach in an effort to proffer candidates for appointments that maintain a diverse composition of the board. (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to approve:

A) Amendment 003 to Standard Agreement No. IP019-9500 (R2019-1836) for the Emergency Home Energy Assistance Program (EHEAP) (CFDA 93.568) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period October 1, 2019 through March 31, 2021, to revise, amend and replace portions of the standard agreement and increase the overall total funding by \$54,728, to provide home energy assistance to seniors; and

B) a budget amendment of \$10,970 in the Division of Senior Services (DOSS) Administration Fund to align the budget to the actual grant award.

SUMMARY: EHEAP provides emergency home energy assistance to seniors aged 60 and older experiencing a home energy emergency. Seniors who are unable to pay their electric bills can receive financial assistance multiple times up to \$3,500. This amendment will increase the funding to the County from \$6,500 to \$28,828. Currently, 422 seniors received services and 50 more seniors are estimated to be served by the end of the contract period, for an approximate total of 472 seniors who will receive energy payment assistance services. Sufficient funding is included in the current budget to meet County obligations. The budget amendment is necessary to align the County budget with the actual grant award. DOSS is responsible for providing services north of Hypoluxo Road. The areas of service include all of the districts, excluding District 3, 4, 5 and 7 south of Hypoluxo Road. No additional County match is required. The Mae Volen Center, Inc. is responsible for providing services in the areas south of Hypoluxo Road. (DOSS) Countywide except for portions of Districts 3, 4, 5, & 7 south of Hypoluxo Road. (HH)

3. Staff recommends motion to approve: a Subrecipient Agreement with The Salvation Army (Salvation Army), for the period October 1, 2020 through September 30, 2021, in an amount not to exceed \$100,499, to provide emergency shelter to families experiencing homelessness. **SUMMARY:** On July 14, 2020, the Board of County Commissioners approved the Palm Beach County Action Plan for Fiscal Year 2020-2021, which allocated \$ 451,346 in Emergency Solutions Grant (ESG) funds to non-profit agencies to provide assistance to the homeless and those at risk of becoming homeless. The population being served with ESG funds under this agreement are families experiencing homelessness. The Salvation Army will fund activities, which include payment for the cost of operating and providing emergency shelter. Families who are experiencing a homeless crisis are prioritized for housing assistance and connected to emergency shelter, and/or rapidly moved to stable housing. Activities include case management, food, maintenance, security, equipment, insurance and supplies for emergency shelter. In 2018, the Salvation Army expended 100% of the \$110,656 award and 114 individuals were served, and in 2019, 95% of the \$151,539 award was expended and 104 individuals were served. The Salvation Army is expected to serve 32 families in emergency shelter under this new agreement. The Federal ESG funds require a matching contribution, which will be provided by the funded agency. No County funding is required. (Division of Human and Veteran Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. Staff recommends motion to ratify:

A) the signature of the Mayor on Modification No. 5 to the Florida Department of Economic Opportunity (FDEO) Community Services Block Grant (CSBG) Program Federally Funded Subgrant Agreement No. 17SB-0D-10-60-01-121 (R2017-0625), to extend the subgrant agreement end date from September 30, 2020 to March 31, 2021; and

B) the signature of the Mayor on Modification No. 8 to the FDEO Low-Income Home Energy Assistance Program (LIHEAP) Federally Funded Subgrant Agreement No. 17EA-0F-10-60-01-023 (R2017-0996), to extend the subgrant agreement end date from September 30, 2020 to March 31, 2021.

SUMMARY: Both CSBG Modification No. 5 (CFDA 93.569) and LIHEAP Modification No. 8 (CFDA 93.568) extend the subgrant agreement end date from September 30, 2020 to March 31, 2021. The CSBG program extension allows the Community Action Program (CAP) to continue providing economic stability and mobility services to approximately 2,700 individuals and approximately 1,040 families residing in Palm Beach County by providing employment skills training, job placement services, resume training, financial management training, rental and utility assistance, and case management services. The LIHEAP extension allows CAP to continue providing electric utility bill assistance to approximately 8,000 low-income households residing in Palm Beach County. Funding for both CSBG and LIHEAP remains the same. The emergency signature process was utilized because there is not sufficient time to submit the agreements through the regular Board of County Commissioner's agenda process. No County match is required. (Community Action Program) Countywide (HH)

5. Staff recommends motion to approve: an agreement for Provision of Financial Assistance with Southeast Florida Behavioral Health Network, Inc. (SEFBHN), for the period October 1, 2020 through September 30, 2021, in an amount not-to-exceed \$1,400,000, for the continuation of recovery support and planning services; and prevention programs. **SUMMARY:** On October 16, 2018, the Board of County Commissioners (BCC) authorized staff to execute a one-year contract with SEFBHN. Three amendments followed on March 12, 2019, April 16, 2019, and September 10, 2019 respectively. Through subawards, 170 individuals received respite services (shelter to homeless adults with chronic substance use or co-occurring disorders), including a total of 2,157 days of shelter, and 130 individuals received treatment and care coordination services. Additionally, 180 individuals have been administered 615 recovery capital surveys to measure their overall recovery wellness; and two recovery community center sites were established providing recovery support services to 1,480 individuals. Furthermore, 276 individuals received family support services. SEFBHN will continue to subcontract with agencies for respite and recovery support services; as well as, prevention, education, families and women programs. Under this agreement, SEFBHN will continue planning services to support the development and implementation of the BCC's aim to establish a comprehensive recovery-centric and recovery-oriented system of care, its neutral care coordination; and, furthering other strategic objectives. Linda Kane, employee of SEFBHN, is a member of the Palm Beach County Homeless Advisory Board (HAB). The HAB provides no regulation, oversight, management, or policy-setting recommendations regarding the agency listed above. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics. (Financially Assisted Agencies) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

6. Staff recommends motion to approve:

A) Amendment No. 3 to the Intergovernmental Agreement for Provision of Ryan White Part A HIV Health Support Services with the Florida Department of Health in Palm Beach County (FDOH) (R2018-0830), for the period March 1, 2018 through February 28, 2021, to decrease funding in the amount of \$121,954 for a new total Grant Year (GY) 2020 amount not-to-exceed \$520,000, for an overall not-to-exceed amount of ~~\$1,837,029~~ \$1,670,029 for the term of the agreement, for the provision of improving health outcomes for persons living with HIV/AIDS; and

B) an Interlocal Agreement with the Palm Beach County Housing Authority (PBCHA), for the period November 1, 2020 through March 31, 2021, in an amount not-to-exceed \$90,000, for the provision of housing, health and support services for persons living with HIV/AIDS in Palm Beach County who were adversely impacted by the COVID-19 pandemic under the Coronavirus Aids, Relief and Economic Security (CARES) Act.

SUMMARY: Amendment No. 3 is necessary to make funding adjustments for GY 2020. The FDOH will continue to provide much needed medical and support services to Palm Beach County residents living with HIV/AIDS. The funds will be used to serve approximately 520 persons living with HIV/AIDS with core medical and support services to improve health outcomes. In GY 2019, FDOH served 1,541 clients. A notice of award was received on April 10, 2020 from the U.S Department of Health and Human Services, Health Resources and Services Administration to respond to the Coronavirus (COVID-19) pandemic. This funding is being used to prevent, prepare and to respond to COVID-19 as the needs evolve for clients of the Ryan White HIV/AIDS Program recipients. The PBCHA will provide emergency housing services for persons living with HIV/AIDS. The funds will be used to serve approximately 10 persons living with HIV/AIDS with core medical and support services to improve health outcomes. No County funding required. (Ryan White Program) Countywide (HH)

7. Staff recommends motion to approve: Amendment No. 2 to Interlocal Agreement between the Health Care District of Palm Beach County (HCD) and Palm Beach County (the Board) (R2019-0153), relating to the Addiction Stabilization Center (ASC), to exercise the first renewal option for the period October 1, 2020 through September 30, 2021, in an annual amount not-to-exceed \$1,000,000. **SUMMARY:** On January 15, 2019, the Board approved an Interlocal Agreement with HCD for the establishment of an ASC. The agreement was amended on December 17, 2019, to change the effective date to October 1, 2019. The ASC opened in October of 2019, at the JFK Medical Center North with a purpose to address the immediate and critical care of individuals experiencing medical emergencies due to opioid or other substance use disorders. It provides a central location with an emergency room component that allows for lifesaving overdose intervention and a behavioral health component which includes immediate psychiatric identification for the best treatments to assist patients in addressing their addiction moving forward. HCD opened an additional Medication Assisted Treatment (MAT) outpatient clinic, which is located on the property. The MAT outpatient clinic also provides immediate stabilization when needed and assessment to best identify treatment pathways. In FY 2020, the ASC handled 1,142 cases, of which 837 cases were emergency room visits and 305 cases were non-emergency visits. The amendment is necessary to align the terms of this agreement with the term of the separate agreement between HCD and JFK Medical Center Limited Partnership, d/b/a JFK Medical Center North Campus concerning operation and financial assistance for the ASC. Countywide (HH)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: a fourth amendment to Agreement (R2017-1895) for Art Services for the Palm Beach County Convention Center Courtyard Public Art Project (Agreement) with Susan Narduli of Narduli Studio (Artist) to extend the Agreement an additional 90 days to March 31, 2021, modify the scope of services and increase the fixed fee in the amount of \$15,200 for additional services. **SUMMARY:** On December 19, 2017, the Board approved the Agreement in the amount of \$454,000 for the design, permitting, fabrication and installation of “Light Play” sculptural screens for the Palm Beach County Convention Center Courtyard. Regulatory review of the construction drawings by the City of West Palm Beach Construction Services Department resulted in a requirement for two additional gates (to provide for life-safety ingress and egress), which were incorporated into the approval of the first amendment to the contract. Said amendment not only provided for the design, permitting, fabrication and installation of the two additional gates but also artist oversight of the entire Courtyard design and construction phases. The second amendment to the contract provided for a net deduction of the total contract price resulting from modifications to the project’s design and scope of work. The third amendment to the contract provided for a time extension to complete security design and engineering work and to ensure adequate coordination with Convention Center facility rental bookings. The following table reflects the contract history.

Contract	Resolution No.	BCC Approval	Agreement/ Amendment Amount	Agreement/ Amendment Duration
Original	R2017-1895	12/19/17	\$454,000	155 days
Amendment #1	R2018-0255	3/13/18	Add \$330,600	Add 275 days
Amendment #2	R2018-1991	12/18/18	Deduct \$4,625	Add 456 days
Amendment #3	R2019-1759	11/19/19	\$0	Add 397 days

This fourth amendment includes additional changes to the schedule of work, services provided and an increase of the fixed fee for services to reach project completion. Based upon current construction and sculptural screen fabrication status, Courtyard construction is anticipated to achieve Substantial Completion in late January 2021. Whereas the third amendment establishes a December 31, 2020 completion date for all services, an extension to March 31, 2021 is necessary to accomplish project closeout. In addition, a \$10,200 increase to the fixed fee is necessary due to the additional Artist time as well as design services required due to field conditions encountered during the construction process. Also during construction, it was determined to be most appropriate for the Artist rather than the Construction Manager to be responsible for various footer anchoring hardware in the amount of \$5,000, which will be deducted from the Construction Manager’s budget resulting in no net cost impact to the overall project budget. Thus, this fourth amendment increases the Artist’s agreement to \$795,175. Funding for the Courtyard art project is from the \$68M Rev Bond AC2/Convention Center Parking Garage. (FDO ADMIN) District 7/Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to approve: an annual contract with the following contractor for low voltage services on an as-needed basis through September 12, 2021.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Communication Access Services, Inc.	Non-Local	Non-SBE

SUMMARY: On September 13, 2016, the Board of County Commissioners approved the annual low voltage contract (R2016-1133 through R2016-1144). The work consists of low voltage construction services associated with repairs, improvements and renovations to County properties on an as needed basis. The contractor now joins the list of 23 already prequalified contractors for a total of 24 prequalified contractors with a contract expiration date of September 12, 2021. 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 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 24 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 10 days before the bid due date. The low voltage 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 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 on each work order, and will be tracked cumulatively for all work orders issued. Current cumulative S/M/WBE participation for all work orders to-date under the low voltage annual contract is 28.47%. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve:

A) a budget transfer of \$1,251,500 from the Fire Rescue Improvement Contingency Reserves fund to the Fire Station Number 17 Modular Replacement fund; and

B) Amendment No. 7 to the continuing contract with The Weitz Company, LLC (R2016-0763) establishing a Guaranteed Maximum Price (GMP) in the amount of \$1,137,719 for construction management (CM) services for Fire Rescue Station No. 17 Permanent Modular Building Replacement project for a period of 186 calendar days from notice to proceed or until the project is complete.

SUMMARY: On June 21, 2016, the Board of County Commissioners (Board) approved the continuing CM contract with The Weitz Company, LLC for construction management services for capital projects with a construction cost of up to \$2,000,000 (effective July 1, 2020, this limit is increased to \$4,000,000, due to changes in the Florida Statutes). Amendment No. 7 includes the coordination, procurement and installation of a permanent modular building structure including all site improvements. The existing modular unit has been in place for approximately 25 years, has indoor air quality issues, and has surpassed its useful life cycle. 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 (EBO) ordinance. The Construction Manager is not 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 for this amendment is 20.06%. To date, the overall SBE participation for the contract is 20.78%. The Weitz Company, LLC is a Palm Beach County business. This amendment will be funded from the Fire Station Number 17 Modular Replacement fund. (Capital Improvements Division) Countywide/District 6 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to approve:

A) a budget transfer in the amount of \$2,252,000 from the Reserves fund to the Library Expansion Program fund for the Wellington Library Renovation and Chiller Replacement Project; and

B) Amendment No. 8 to the continuing contract with The Weitz Company, LLC (R2016-0763) establishing a Guaranteed Maximum Price (GMP) in the amount of \$2,494,274 for construction management services for the Wellington Library Renovation and Chiller Replacement project for a period of 204 calendar days from notice to proceed or until the project is complete.

SUMMARY: On June 21, 2016, the Board of County Commissioners approved the continuing Construction Manager (CM) contract with The Weitz Company, LLC for construction management services for capital projects with a construction cost of up to \$2,000,000 (effective July 1, 2020, this limit increased to \$4,000,000, due to changes in the Florida Statutes). Amendment No. 8 authorizes, but is not limited to, painting, construction of new interior spaces, new flooring, relocating the public computer workstations along with the associated power and data supply, and replacement of the existing 120 ton chiller, which is at the end of its service life. The Wellington Library is more than 20 years old and has not received any significant building improvements during that time. Due to the high volume of use by the public and advancements in digital technology, these improvements will modernize the branch and provide for many years of continued service. 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 (EBO) ordinance. The Construction Manager is not 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 for this amendment is 27.28%. To date, the overall SBE participation for the contract is 22.11%. The Weitz Company, LLC is a Palm Beach County business. This amendment will be funded from the Library Expansion Program fund. (Capital Improvements Division) District 6 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. Staff recommends motion to approve:

A) a budget transfer in the amount of \$2,052,000 from the Reserves fund to the Library Expansion Program fund for the Lantana Library Renovation project; and

B) Amendment No. 9 to the continuing contract with The Weitz Company, LLC (R2016-0763) establishing a Guaranteed Maximum Price (GMP) in the amount of \$2,097,146 for construction management (CM) services for the Lantana Library Renovation project for a period of 194 calendar days from notice to proceed or until the project is complete.

SUMMARY: On June 21, 2016, the Board of County Commissioners approved the continuing Construction Manager (CM) contract with The Weitz Company, LLC for construction management services for capital projects with a construction cost of up to \$2,000,000 (effective July 1, 2020, this limit increased to \$4,000,000, due to changes in the Florida Statutes). Amendment No. 9 authorizes, but is not limited to, painting and weatherproofing, new flooring, renovating the restrooms, re-configuring and constructing new interior spaces, and relocating the public computer workstations along with the associated power and data supply. The Lantana Library is more than 20 years old and has not received any significant building improvements during that time. Due to the high volume of use by the public and advancements in digital technology, these improvements will modernize the branch and provide for many years of continued service. 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 not 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 for this amendment is 20.86%. To date, the overall SBE participation for the contract is 21.93%. The Weitz Company, LLC is a Palm Beach County business. This amendment will be funded from the Library Expansion Program fund. (Capital Improvements Division) District 3 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. [Staff recommends motion to receive and file:](#) emergency contracts executed during the month of September.

A) an emergency contract with Partner Assessment Corporation for professional services to provide an assessment and opinion letter on the jury facilities in Judge Daniel T. K. Hurley Courthouse in response to the COVID-19 pandemic in the amount of \$1,500;

B) an emergency Consultant Services Authorization (CSA) No. 1 with Partner Assessment Corporation to discuss the opinion letter and proposed options for the jury facilities to enable the reopening of Judge Daniel T. K. Hurley Courthouse in response to the COVID-19 pandemic in the amount of \$1,750;

C) an emergency contract with Universal Cabling Systems, Inc. for the Supervisor of Elections – Ballot Box and Camera Installation project to install closed circuit television cameras at all three SOE locations, which will monitor the newly installed ballot drop boxes, in the amount of \$7,678.30; and

D) an emergency contract with Protect Video, Inc. for the Airport Center I-Aiphone Installation project. The work consists of installing a new aiphone video door station, which is wired back into the existing exchange; and setting up a video and audio entry security system at all three existing stations and the new master station in the amount of \$4,775.

SUMMARY: These projects were solicited as emergency contracts in accordance with Palm Beach County Purchasing Code 2-54 and County PPM CW-L-008. Pursuant to Section 2-80.22 of the Equal Business Opportunity (EBO) Ordinance and the County PPM CW-O-043, these projects are exempt from the EBO requirements. The Director of the Facilities Development and Operations Department executed these emergency contracts under her construction authority pursuant to the Purchasing Code Section 2-53(f). In accordance with PPM CW-F-050, staff is submitting these emergency contracts to the Board of County Commissioners as receive and file items for transparency and for informational purposes. **The funding source for these projects are the CARES Act Relief fund.** (Capital Improvements Division) Countywide (LDC)

7. [Staff recommends motion to approve:](#) a Temporary Construction Easement (TCE) in favor of Florida Department of Transportation (FDOT) with reservation of rights for water and sewer utilities. **SUMMARY:** FDOT has plans to improve State Road 882 (Forest Hill Boulevard) from State Road 7 (U.S. 441) east to Pinehurst Drive. The project entails road construction in front of Okeeheelee Park and will affect the entrances to both Okeeheelee Park North and Okeeheelee Park South. FDOT's plans include enhancements to the existing County-owned roadway and sidewalks fronting the Park entrances, including but not limited to lighting, pedestrian signalization and ramps. The TCE covers each Park entry point on both sides of Forest Hill Boulevard and the southwest corner of Pinehurst Drive and Forest Hill Boulevard, for a total of .513 acre. The Parks Department does not have any objection to the TCE since the improvements will enhance the Park entrances, provide for pedestrian safety and relieve the County from maintenance concerns over the affected area. The TCE will be in favor of FDOT with a reservation of rights for existing County water and sewer facilities. In total, the TCE will cover 22,358 square feet, will be of varying widths and will be recorded to provide notice of its existence and location. (PREM) District 2 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

8. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 24 to the continuing contract with Baxter & Woodman, Inc. (Consultant) (R2017-0815) in the amount of \$213,198.92 to provide professional engineering services for the Palm Beach County Main County Courthouse (MCCH) Heating, Ventilation and Air Conditioning (HVAC) Chill Water System project located at 205 N Dixie Hwy, West Palm Beach. **SUMMARY:** On June 20, 2017, the Board of County Commissioners approved the contract with the Consultant for general utility, architectural and value engineering services. On June 12, 2020, the Facilities Management Division reported a leak on the existing 16-inch water line that supplies the chilled water to the HVAC system of the MCCH. The amount of water being lost was greater than the amount of make-up water being supplied therefore, emergency repairs were authorized to stabilize the chilled water line. Subsequent tests performed after the repairs were completed confirmed that additional points of failure in the below grade pipe remain, leading to continued leaks. CSA No. 24 includes engineering services required to replace the damaged 16-inch below grade section of chilled water pipe which runs from the existing valve box located on 3rd Street to the mechanical room located in the MCCH garage. The work consists of, but is not limited to, evaluation of the existing chilled water system, project management, quality assurance/quality control, data collection, surveying, utility location documentation and design services. The professional services contract was advertised according to the County's prior Small Business Enterprise (SBE) program where a 15% subcontracting goal was applied. The Consultant committed to a contract goal of 26%. SBE participation on this CSA is 70.96%. To date the overall SBE participation on this continuing contract is 34.26%. The prime consultant is not a certified SBE, but is a local business. The funding source for this project is from the Public Building Improvement fund. (Capital Improvements Division) District 7 (MWJ)

9. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 15 to the contract with Leo A. Daly Company (R2015-1459) to provide professional architectural/engineering services in the amount of \$1,233,812 for the Main Detention Center (MDC) Phase IV West Tower & Central Energy Plant Renewal/Replacement Project located at 3228 Gun Club Road, West Palm Beach. **SUMMARY:** CSA No. 15 authorizes the final phase of professional services for the renewal/replacement of air conditioning, closed circuit television, plumbing, roofing, permitting, bidding assistance and construction administration phase services to improve the west tower and central energy plant at the MDC. The west tower is over 25 years old, and many of the systems and equipment require replacement, modifications and/or repairs. The solicitation for this multi-phase project was advertised on May 31, 2015, according to the Small Business Enterprise (SBE) Ordinance in place at the time with a SBE goal of 15%. The Leo A. Daly Company is not an SBE. The SBE participation for CSA No. 15 is 34.19%. To date, the consultant has achieved 24.85% SBE participation under this contract. Leo A. Daly Company is a local business. **This project is funded from the Infrastructure Sales Tax fund.** (Capital Improvements Division) District 2 (LDC)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to receive and file: the following four amendments to agreements for projects funded under the Community Development Block Grant (CDBG) Program:

- A) Amendment 001 to the Agreement with the Village of Palm Springs;
- B) Amendment 002 to the Agreement with the Village of Palm Springs;
- C) Amendment 003 to the Agreement with the City of Riviera Beach; and
- D) Amendment 006 to the Agreement with the City of South Bay.

SUMMARY: The aforementioned documents have been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Sustainability in accordance with Agenda Items 5A-3, 5C-5 and 3I-4, as approved by the BCC on July 2, 2019, July 10, 2018 and December 5, 2017, respectively. Amendment 001 to the Agreement (R2019-1762) with the Village of Palm Springs extends the project completion date and modifies the performance requirements for the sidewalk improvement project along the south side of Alameda Drive. Amendment 002 to the Agreement (R2018-1569) with the Village of Palm Springs extends the project completion date and revises the performance requirements for the completion of Foxtail Palm Park. Amendment 003 to the Agreement (R2018-2001) with the City of Riviera Beach extends the project completion date and modifies the performance requirements for improvements along Avenue M. Amendment 006 to the Agreement (R2016-0567) with the City of South Bay extends the project completion date and modifies the performance requirements for improvements to Cox Park and Tanner Park. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. These are Federal CDBG funds which do not require a local match. Districts 3, 6 & 7 (HJF)

2. Staff recommends motion to receive and file: the following four Community Development Block Grant (CDBG) funded agreements:

- A) Agreement in the amount of \$208,875 with the City of Greenacres;
- B) Agreement in the amount of \$49,767 with the Town of Lake Park;
- C) Agreement in the amount of \$266,560 with the City of Lake Worth Beach;
- D) Agreement in the amount of \$154,205 with the Village of Palm Springs.

SUMMARY: The documents have been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Sustainability in accordance with Agenda Item 6D-1, as approved by the BCC on July 14, 2020. The Agreement with the City of Greenacres allocates \$208,875 to fund drainage improvements in the First Street Drainage System. The Agreement with the Town of Lake Park allocates \$49,767 to fund ADA improvements at Lake Shore Park. The Agreement with the City of Lake Worth Beach allocates \$266,560 to fund improvements to Howard Park. The Agreement with the Village of Palm Springs allocates \$154,205 to fund sidewalk installations as part of the Village's park connector project. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. These are Federal CDBG funds which require no local match. Districts 1, 2, & 3 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

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

A) Loan Agreement with HTG Banyan, LLC, under the HOME Investment Partnerships Program (HOME);

B) Certificate of Award for Developer Affordable Rental Housing Units (Certificate) to HTG Banyan, LLC, under the Impact Fee Affordable Housing Assistance Program (IFAHAP);

C) Loan Agreement with HTG Heron Estates Family, LLC, under the HOME;

D) Mortgage Subordination Agreement with the Florida Housing Finance Corporation (FHFC), The Bank of New York Mellon Trust Company, N.A., and HTG Heron Estates Family, LLC, under HOME; and

E) Subordination Agreement with FHFC and HTG Heron Estates Family, LLC, under HOME.

SUMMARY: The documents have been executed on behalf of the Board of County Commissioners (BCC) by the Mayor, the County Administrator or the Director of the Department of Housing and Economic Sustainability in accordance with Agenda Item 5A-3 and 3I-1, as approved by the BCC on February 11, 2020 and March 10, 2020, respectively. The Loan Agreement with HTG Banyan, LLC, provided \$550,000 in HOME funding towards the construction of Flagler Station, a 94 rental unit project of which ten units are HOME Assisted Units. The Certificate awarded HTG Banyan, LLC, \$314,446 in IFAHAP assistance associated with the construction of Flagler Station. The Loan Agreement with HTG Heron Estates Family, LLC, provided \$500,000 in HOME funding towards the construction of Heron Estates Family, a 79 rental townhome project of which ten units are HOME Assisted Units. The Mortgage Subordination Agreement with FHFC, The Bank of New York Mellon Trust Company, N.A., and HTG Heron Estates Family, LLC, subordinates the County's mortgage to the \$11,000,000 first mortgage for the Heron Estates Family project. The Subordination Agreement with FHFC and HTG Heron Estates Family, LLC, subordinates the County's mortgage to the \$5,500,000 second mortgage, the \$600,000 third mortgage and the \$1,435,800 fourth mortgage for the Heron Estates Family project. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. HOME Program grant funds are Federal funds which require a 25% local match provided by State SHIP funds. **IFAHAP funds are from interest earned by the Impact Fee Fund. District 7 (HJF)**

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. [Staff recommends motion to receive and file:](#) an executed Standard Potable Water and Wastewater Development Agreement, three executed Standard Potable Water and Wastewater Development Renewal Agreements and six executed Standard Potable Water and Wastewater Development Second Renewal Agreements for the months of July, August and September 2020.

A) Standard Potable Water and Wastewater Development Agreement with Lennar Homes, LLC, SDA #02-01161-000 (District 6), Recorded in OR BK 31731 PG 1117;

B) Standard Potable Water and Wastewater Development Renewal Agreement with WPB Cleary Property Partners, LLC, SDRA #01-01231-001 (District 2), Recorded in OR BK 31731 PG 1177;

C) Standard Potable Water and Wastewater Development Renewal Agreement with Boynton Beach Associates XXVI, LLLP, SDRA #03-01044-001 (District 5), Recorded in OR BK 31731 PG 1129;

D) Standard Potable Water and Wastewater Development Renewal Agreement with Boca Raton Associates, VII, LLLP, SDRA #09-01045-001 (District 5), Recorded in OR BK 31731 PG 1135;

E) Standard Potable Water and Wastewater Development Second Renewal Agreement with Lynx Zuckerman at Fort Myers, LLC, SDRA #05-01101-001 (District 5), Recorded in OR BK 31731 PG 1141;

F) Standard Potable Water and Wastewater Development Second Renewal Agreement with Highland Dunes Associates Property, LLC, SDRA #11-01004-001 (District 6), Recorded in OR BK 31731 PG 1147;

G) Standard Potable Water and Wastewater Development Second Renewal Agreement with NVR, Inc., d/b/a Ryan Homes, SDRA #11-01004-002 (District 6), Recorded in OR BK 31731 PG 1171;

H) Standard Potable Water and Wastewater Development Second Renewal Agreement with Lennar Homes, LLC, SDRA #11-01004-003 (District 6), Recorded in OR BK 31731 PG 1153;

I) Standard Potable Water and Wastewater Development Second Renewal Agreement with Kenco Communities at Arden, LLC, SDRA #11-01004-005 (District 6), Recorded in OR BK 31731 PG 1159; and

J) Standard Potable Water and Wastewater Development Second Renewal Agreement with D. R. Horton, Inc., SDRA #11-01004-006 (District 6), Recorded in OR BK 31731 PG 1165.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants/procurement items must be submitted by the initiating Department as a receive and file agenda item and are attached unless the documents have been recorded in the Public Records of Palm Beach County. The documents have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Palm Beach County Water Utilities Department (PBCWUD) in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the BCC to receive and file. Districts 2, 5 & 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. Staff recommends motion to approve: contracts for Consulting/Professional Services for three year terms with the following firms:

A) Chen Moore and Associates, Inc. (CMA) for the General Utility, Architectural and Value Engineering Services (General Utility);

B) Brown and Caldwell (Corporation) (B&C) for the Wastewater Engineering Services (Wastewater);

C) JLA Geosciences, Inc. (JLA) for the Utility Hydrogeologic Engineering Services (Hydrogeologic);

D) Electrical Design Associates, Inc. (EDA) for the Electrical Instrumentation and Telemetry Engineering Services (Electrical);

E) Hillers Electrical Engineering, Inc. (HEE) for the Electrical Instrumentation and Telemetry Engineering Services (Electrical);

F) C Solutions, Inc. (CSI) for the Utility Distribution & Collection System Engineering Services (Distribution & Collection);

G) Holtz Consulting Engineers, Inc. (Holtz) for the Utility Distribution & Collection System Engineering Services (Distribution & Collection); and

H) Keshavarz & Associates, Inc. (Keshavarz) for the Utility Distribution & Collection System Engineering Services (Distribution & Collection)

SUMMARY: The contracts will provide professional engineering and consulting services for Palm Beach County Water Utilities Department (PBCWUD) projects. The General Utility Contract was presented to the Goal Setting Committee (GSC) on October 2, 2019, and a minimum mandatory 20% SBE subcontracting goal and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified African American owned firms were the Affirmative Procurement Initiatives (API) applied to the General Utility Contract. CMA has met the established APIs for this contract. The contract with CMA provides for 27% SBE Participation which includes 17% M/WBE participation, 17% MBE (B). CMA is a Palm Beach County based company. (PBCWUD Project No. 19-077R). The Wastewater contract was presented to the GSC on October 2, 2019, and a minimum mandatory 20% SBE subcontracting goal and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified African American owned firms were the API applied to the Wastewater contract. B&C has met the established API for this contract. The contract with B&C provides for 23% SBE Participation which includes 23% M/WBE participation, 20% MBE (B), 2% MBE (A) and 1% WBE. While B&C is headquartered in Walnut Creek, CA, they maintain an office in Palm Beach County from which the majority of the work under this contract will be performed (PBCWUD Project No. 19-078). The Hydrogeologic contract was presented to the GSC on October 2, 2019, and a minimum mandatory 20% SBE subcontracting goal and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified SBE firms were the API applied to the Hydrogeologic contract. JLA has met the established API for this contract. The contract with JLA provides for 73% SBE Participation which includes 3% M/WBE participation, 3% MBE (A). JLA is a Palm Beach County based company (PBCWUD Project No. 19-079R). The Electrical contract was presented to the GSC on October 2, 2019, and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified SBE firms was the API applied to the Electrical Contract. EDA and HEE have met the established API for this contract. The contract with EDA provides for 100% SBE Participation which includes 100% M/WBE participation, 100% MBE (H). EDA is a Palm Beach County based company. The Contract with HEE provides for 100% SBE Participation which includes 100% M/WBE participation, 100% MBE (A). HEE is a Palm Beach County based company (PBCWUD Project No. 19-080). The Distribution & Collection contract was presented to the GSC on October 2, 2019, and a minimum mandatory 20% SBE subcontracting goal and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified SBE firms were the API applied to the Distribution & Collection Contract. CSI, Holtz and Keshavarz have met the established API for this contract. The contract with CSI provides for 83% SBE participation which includes 78% M/WBE participation, 76% MBE (B), 1% MBE (H) and 1% MBE (A). CSI is a Palm Beach County based company. The contract with Holtz provides for 96% SBE participation which includes 90% M/WBE participation, 85% MBE (H), and 5% MBE (A). Holtz is a Palm Beach County based company. The contract with Keshavarz provides for 85% SBE participation which includes 85% M/WBE participation, 82% MBE (A), and 3% MBE (B). Keshavarz is a Palm Beach County based company (PBCWUD Project No. 19-082) Countywide (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 30 to the Consulting/Professional Services Utility Distribution & Collection System Engineering Services Contract (Contract) with Mock, Roos & Associates, Inc., (Consultant) for the Lake Worth Road Force Main Improvements (Project) for a not to exceed amount of \$499,302.81. **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. 30 provides for professional engineering services relating to design and permitting of the Project. These services include survey, geotechnical engineering services, construction plans, permitting, and bid support services for the installation of approximately 23,000 linear feet of force main. 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. 30 includes 91.66% SBE participation. The cumulative SBE participation including CSA No. 30 is 82.7%. Consultant is a Palm Beach County based company. The Project is included in the PBCWUD FY 21 Budget. (PBCWUD Project No. 20-076) Districts 2 & 3 (MJ)

4. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 12 to the Consulting/Professional Services Utility Distribution & Collection System Engineering Services Contract (Contract) with Keshavarz & Associates, Inc. (Consultant) for the Utility Adjustments for the City of Belle Glade Road Resurfacing Project – Phase 3 (Project) for a total amount of \$204,422.36. **SUMMARY:** On June 20, 2017, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2017-0817) with Consultant. CSA No. 12 provides for professional engineering services relating to design and permitting of the Project. These services include, subsurface utility exploration, geotechnical exploration, survey, construction plans, permitting, outreach support and bid support services for the replacement and relocation of approximately 7,600 linear feet of water main and sanitary force mains along the intersections of SW Avenue I, NE 2nd Street, NE 3rd Street, SW Avenue F, SW 3rd Street, SW Avenue C Place and Whitaker Road within the City of Belle Glade. The project also includes replacement of existing water services for approximately 157 customers. 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 90% SBE participation. CSA No. 12 includes 85.26% SBE participation. The cumulative SBE participation including CSA No. 12 is 88.92%. Consultant is a Palm Beach County based company. The Project is included in the PBCWUD FY21 Budget. (PBCWUD Project No. 20-071) District 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

5. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 19 to the Consulting/Professional Services General Utility, Architectural, and Value Engineering Services Contract (Contract) with Baxter & Woodman, Inc. (Consultant) for Engineering Services During Construction for Rehabilitation of Master Repump Station 9-North, Repump Station 8310, and Five Lift Stations (Project) for a not to exceed amount of \$498,278.43. **SUMMARY:** On June 20, 2017, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2017-0815) with the Consultant. CSA No. 19 provides for professional engineering services during construction for Master Repump Station 9-North, Repump Station 8310, and five Lift Stations (393, 1023, 8168, 5195, and 8119) including, but not limited to, additional permitting services, construction administration services, preparation of conformed contract documents, meetings, field observations, review of deliverables (schedule, submittals, request for additional information, payment application, contract change orders and recommendations, as-built drawings and operation and maintenance manuals), start-up support services, Substantial Completion certification, and Final Completion certification. 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 goal established under the 2002 Ordinance was 15% overall participation. The Contract provides for 26% SBE participation. CSA No. 19 includes 23.89% SBE participation. The cumulative SBE participation, including CSA No. 19, is 28.14%. Consultant is headquartered in Crystal Lake, IL, 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 FY21 Budget. (PBCWUD Project No. 20-061) Districts 2, 5 & 6 (MJ)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **Staff recommends motion to:**
 - A) approve** an agreement with the Andrew “Red” Harris Foundation, Inc. (ARHF) providing donated artificial reef material in exchange for placing the material within permitted artificial reef sites offshore of northern Palm Beach County (County) for an amount not to exceed \$300,000 beginning January 1, 2021 and ending December 31, 2023;
 - B) adopt** a resolution authorizing the Clerk of the Court to disburse \$300,000 from the Vessel Registration Fee Trust Fund to provide the necessary funding for the placement of artificial reef material;
 - C) approve** a budget transfer of \$300,000 from the reserves in the Environmental Enhancement Saltwater Fund to the ARHF Reef Project; and
 - D) authorize** the County Administrator or designee to sign all future time extensions, task assignments, certifications, and other forms associated with the agreement, and any necessary minor amendments that do not substantially change the scope of work, terms, or conditions of the agreement.

SUMMARY: The agreement with the ARHF provides for the donation and temporary storage of County approved artificial reef material. The County will cover the cost to load, transport, and place the reef material at one or more permitted County artificial reef sites, with funding of \$300,000 from the Vessel Registration Fee Trust Fund. District 1 (SS)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to:

A) receive and file a fully executed Florida Inland Navigation District (FIND) Project Agreement for the redevelopment of the Ocean Inlet Park Marina for the period October 13, 2020 through September 30, 2022; and

B) approve a budget amendment of \$1,500,000 within the Park Improvement Fund to establish budget for the approved grant.

SUMMARY: On May 5, 2020 (R2020-0483), the Board of County Commissioners (BCC) ratified the signature of the Mayor for submission of a Waterways Assistance Program (WAP) grant application to fund a portion of the construction costs associated with the redevelopment of Ocean Inlet Park Marina. The BCC also authorized the County Administrator or designee to execute the Project Agreement, (FIND Project No. PB-20-210) and other grant forms related to this project if the grant was approved. The Project Agreement has been fully executed in accordance with BCC authorization and is being submitted to the BCC to receive and file and to establish budget for the grant. **The \$1,500,000 FIND grant requires a \$1,500,000 (50%) match which will be funded from the Ocean Inlet Park and Marina Infrastructure Sales Tax Project.** The grant term is from October 13, 2020 through September 30, 2022, with a possible one year time extension. District 4 (AH)

2. Staff recommends motion to:

A) receive and file a fully executed Florida Recreation Development Assistance Program Project Agreement for the development of the Canyon District Park Phase One for the period October 6, 2020 through June 30, 2023; and

B) approve a budget amendment of \$200,000 within the Park Improvement Fund to establish budget for the approved grant.

SUMMARY: On December 3, 2019 (R2109-1856), the Board of County Commissioners (BCC) ratified the signature of the mayor for submission of a Florida Recreation Development Assistance Program (FRDAP) grant application for development of Canyon District Park Phase One. Due to the high cost of construction, the Parks and Recreation Department modified the scope of work to eliminate the playground from Phase One. On September 15, 2020 (R2020-1382), the amended grant application with the modified scope of work was resubmitted to the BCC to ratify the Mayor's signature, authorize the County Administrator or designee to execute the Grant Agreement and other standard forms and authorize the Director of the Parks and Recreation Department to serve as Liaison Agent with Florida Department of Environmental Protection for this project. The Project Agreement has been fully executed and it is being submitted to the BCC to receive and file and to establish budget for the grant. **The \$200,000 FRDAP grant requires a \$200,000 (50%) match which will be funded from Zone 3 Park Impact Fees.** The Project Agreement requires the County to execute and record a Notice of Limitation of Use dedicating the land in perpetuity as an outdoor recreation site. The Notice of Limitation of Use will be brought to the BCC and will not be recorded until the project is complete. According to the terms of this agreement the project period is from October 6, 2020 through June 30, 2023. District 5 (AH)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to approve: a first amendment to contract for Consulting/Professional Services with Compass, Inc. (R2019-1650) increasing the contract from \$11,760 to a not-to-exceed amount of \$23,520 for the period August 1, 2019 through July 31, 2021 to continue providing outreach to the Lesbian, Gay, Bisexual, Transgender, Questioning (LGBTQ+) community. **SUMMARY:** Palm Beach County Division of Victim Services (DVS) was awarded a Sexual Assault Services Program (SASP) Formula Grant, Contract #18SAS26, (R2018-1814) from the Florida Council Against Sexual Violence (FCASV). Each contract year, FCASV allocates funding to their grantees based on their appropriation from the Bureau of Justice Assistance. The DVS was awarded \$106,338 for the period of August 1, 2020 through July 31, 2021. This amendment adds an additional \$11,760 from the DVS current SASP allocation to complete year three of the contract. Compass, Inc. will continue to collaborate with the DVS to increase awareness and accessibility of victim services within the LGBTQ+ communities. Countywide (JW)

2. Staff recommends motion to receive and file: the following Declarations and Emergency Orders (EO) related to COVID-19:

A) Declaration of Continuing State of Emergency PBC, FL, dated September 11, 2020;

B) EO Number 25 (2020-025), phase 2, step 1 re-openings clarification, dated September 18, 2020;

C) Declaration of Continuing State of Emergency PBC, FL, dated September 18, 2020;

D) EO Number 26 (2020-026), extension of facial coverings directive, dated September 21, 2020;

E) Declaration of Continuing State of Emergency PBC, FL, date September 24, 2020;

F) EO Number 27 (2020-027), repeal of business operating hour restrictions, dated September 25, 2020;

G) EO Number 28 (2020-028), phase 3 reopening, dated September 29, 2020; and

H) Declaration of Continuing State of Emergency PBC, FL, dated October 2, 2020.

SUMMARY: On March 9, 2020, the Governor issued Executive Order No. 20-52 declaring a State of Emergency in the State of Florida based on the on-going risk posed by COVID-19, including the fact that at least eight Florida counties had reported positive cases of COVID-19. The County issued a State of Local Emergency on Friday, March 13, 2020. The State of Local Emergency was declared to initiate emergent actions taken by the County Administrator to ensure the health, safety and welfare of the community. Multiple Emergency Orders and Declarations were issued in response to COVID-19 response activities. The County's Emergency Operation Center was activated to a Level 2 activation at 0700 hours on Monday, March 16, 2020. Pursuant to PBC Code Article II, Section 9-35, in the event a special meeting of the Board of County Commissioners (BCC) cannot be convened, the Mayor of the BCC may declare a State of Local Emergency. With the executed State of Local Emergency, resources were available through the Coronavirus Aid, Relief, and Economic Security Act and or Federal Emergency Management Agency Public Assistance. Staff were then able to purchase equipment, materials, supplies, and open non-congregate shelters for residents and persons who may be in need of isolation. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. Staff recommends motion to:

A) accept Urban Area Security Initiative (UASI) GY2019 – revised Award Letter dated September 28, 2020 adding the Palm Beach County Regional FirstDefender RMX chemical identification device for \$59,500; and

B) approve a budget amendment of \$249,500 in the Urban Areas Security Initiative (UASI) Grant Fund to adjust the budget to the actual grant award.

SUMMARY: On August 25, 2020, the Board of County Commissioners approved a Memorandum of Agreement (CFDA # 97.067) R2020-1123 that provides a means of funding various domestic security activities within the County using Federal UASI funds through the City of Miami as the UASI's fiscal agent. The Award Letter was accepted (R2020-1122) and the Memorandum of Agreement R0075 was received and filed (R2020-1123). However, the amount referenced on the agenda item was incorrectly noted as \$146,965; which was only one project to the County's Public Safety Department's Division of Emergency Management continuity of operations workshop, a shelter deficit plan, and a transportation/evacuation plan. Three other projects under this grant: \$50,000 for Regional Citizen Corps/CERT planning, training, exercise, and equipment and \$140,000 for two Palm Beach County Fire Rescue regional projects were not mentioned or included in the budget amendment. Furthermore, a revised Award Letter was issued on September 28, 2020 adding \$59,500 for Palm Beach County Fire Rescue regional FirstDefender RMX chemical identification device. No County matching funds are required. Countywide (LDC)

AA. PALM TRAN

1. Staff recommends motion to approve: a second amendment to Contract No. 18-108DIR/SS; R2018-2053; R2019-1588, the contract for Palm Tran Flex Transportation Service, System Operations Glades Region – Pilot Program, dated December 18, 2018, by and between Palm Beach County and MV Transportation, Inc. and MV Contract Transportation, Inc. to increase the not-to-exceed amount by \$173,680; from \$876,320.00 to \$1,050,000 for the Contract year ending December 20, 2020. **SUMMARY:** The "Go Glades" pilot program started service on December 21, 2018, with four routes that provided flexible/deviated fixed route service in the Glades region. Due to the declared emergency, Palm Tran expanded the resources providing Go Glades service in order to promote social distancing. This requires an increase in the not to exceed amount of the contract. District 6 (MM)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

2. Staff recommends motion to approve: a contract for Dial-A-Ride/Mobility On Demand (MOD) Transportation Service for the Glades Region - Pilot Program by and between Palm Beach County and MV Transportation, Inc. and MV Contract Transportation, Inc. in the amount of \$1,391,519, for the period of December 21, 2020 through December 20, 2021. **SUMMARY:** The "Go Glades" pilot program started service on December 21, 2018, with four routes that provided flexible/deviated fixed route service in the Glades region. The service was designed to utilize smaller vehicles, similar to those used by Palm Tran Connection, instead of fixed route buses. The Flex Service provided deviated fixed route services on four routes and limited Dial-A-Ride services throughout the Glades Region. On July 23, 2019, the Board of County Commissioners (BCC) directed staff to continue the Go Glades pilot program unchanged through the 2020 school year and bring back the compiled data for BCC review. On October 22, 2019, the contract with MV Transportation was extended for a period of one year through December 20, 2020. Due the COVID-19 pandemic, on April 13, 2020, Palm Tran transitioned Go Glades from a flex route service to a dial-a-ride/mobility on demand service. This change was critical for the health and wellbeing of our customers by limiting the number of passenger on each vehicle in order to provide social distancing. Subsequently, staff provided an update on this service transition at the June 23, 2020 workshop, and recommended continuation of the dial-a-ride service model. The BCC agreed with the recommendation and continuation of the service until April 2021, at which time Palm Tran will bring back additional service delivery model options for BCC consideration. District 6 (MM)
3. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, approving the Federal Transit Administration (FTA) mandated Public Transit Agency Safety Plan for Palm Tran, Inc. **SUMMARY:** Pursuant to FTA's Final Rule on the Public Transportation Safety Program, as published on the Federal Register on August 11, 2016, operators of public transportation systems that receive Federal financial assistance must establish a safety program that meets the requirements detailed in 49 CFR Part 673. The plan was developed to establish processes and procedures to support the implementation of Safety Management Systems, a comprehensive, collaborative approach to managing safety. The rule requires each operator to certify compliance with these requirements through its annual Certifications and Assurances. FTA will use its existing Certifications and Assurances process for this effort. FTA intends to use its triennial oversight review programs to assess compliance with the requirements of the rule. The document outlines the programs, policies, and/or procedures as it relates to the overall safe operation of Palm Tran, Inc.:
 - A) Implementing a realistic and effective Safety Communication Plan (trainings, committees, reporting protocols, electronic messaging, etc.).
 - B) Developing and implementing a program that communicates the outcomes of Key Performance Indicators. (Palm Tran PTSTAT program meets this requirement.)
 - C) Palm Tran, Inc. has the commitment from its Executive Director that safety is the cornerstone of the organization. This is achieved by Palm Tran initiating programs that include: 1) Safety Promotion; 2) Safety Risk Management (Safety Risk Identification, Assessment, Mitigation); and 3) Safety Assurance. Countywide (MM)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

4. Staff recommends motion to approve: a funding agreement (Agreement) in the amount of \$2,311,655.84 with the City of Boca Raton (City) for enhanced bus service between the Boca Raton Tri-Rail Station, Florida Atlantic University (FAU), Palm Beach State College (PBSC), FAU Research and Development Park Campus, and Federal Highway for a five year period beginning October 1, 2020 through September 30, 2025. **SUMMARY:** The Agreement allows students and employees with a valid identification card to ride Route 94 at no charge and continues enhanced service during peak hours on Route 94. The route provides service between the Boca Raton Tri-Rail Station, Florida Atlantic University, Palm Beach State College, FAU Research and Development Park Campus, and Federal Highway in Boca Raton. Anticipated costs for providing this service is \$2,409,625 over the five year period. The cost to operate the enhanced service is estimated at \$453,864 in FY21 with a 3% increase each year. The cost estimate is based on a 3% increase over FY20 estimated costs. The Agreement will pay 96% of the costs. The remaining 4% (\$97,970) over the five year period is included in Palm Tran's proposed FY21 budget and will be included in future proposed budgets. The cost split between the City and Board of County Commissioners is unchanged from the prior agreement. Ridership on this route averaged 17,393 per month pre-COVID. District 4 (MM)

CC. TOURIST DEVELOPMENT COUNCIL

1. Staff recommends motion to approve: a Tri-Party Agreement (Agreement) with the City of Boca Raton, a municipal corporation (City) and ESPN Productions, Inc. (ESPN), a Delaware corporation authorized to do business in the State of Florida, for a term of one year, in an amount not to exceed \$140,000. **SUMMARY:** Approval of this Agreement establishes the expenditure of \$140,000 in tourist development tax revenues for a college football bowl game featuring teams from NCAA Division I Football Bowl Subdivision teams with which ESPN has agreements for participation in the bowl game. The bowl game will take place in December at Florida Atlantic University (FAU) in the City of Boca Raton, Palm Beach County, Florida. One Hundred Twenty-Five Thousand Dollars will be paid within 30 days after the occurrence of the bowl game, and \$15,000 will be used for activity costs as incurred for the teams. The City will match all the County's funding obligations. ESPN will be responsible for all activities and services regarding the planning, organization, production, and operation of the bowl game and shall be responsible for the full cost of such activities and services. This event funding has been reviewed and approved by the Tourist Development Council Board. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

DD. MEDICAL EXAMINER

1. Staff recommends motion to approve: Contract with AXIS Forensic Toxicology, Inc. to provide forensic toxicology testing for the period January 1, 2021 through December 31, 2023 in an amount not to exceed \$1,075,000. **SUMMARY:** The AXIS Forensic Toxicology, Inc. contract includes various drug detection panels that provide statutorily required and necessary complex toxicology testing as economically as possible. Each panel detects and quantifies a group of pre-determined drugs on the submitted body fluids/tissues that are collected at the time of examination. The group of drugs tested on each panel is determined by the laboratory based on their analytical capabilities. Other tests requested include carbon monoxide, volatiles (alcohols) and electrolyte testing. One or more panels may be requested on a particular case by the Medical Examiner; the requests are based on the information available through the medicolegal death investigation. The cost of the panels range from \$60 to \$400 per panel. AXIS Forensic Toxicology, Inc. costs include the cost of the shipment to the laboratory, scheduled destruction of specimens, and professional consultation with their staff toxicologists. If return of some specimens to the Medical Examiner Office is necessary, it requires an additional fee. The type of services provided in the contract are exempt from the Purchasing Code. Countywide (SF)

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DECEMBER 15, 2020

4. SPECIAL PRESENTATIONS – 9:30 A.M.

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

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

A. PALM TRAN

1. Staff recommends motion to:

A) adopt a Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, authorizing the signing and submission of the FY2021 Section 5310 grant application, in the amount of \$1,199,742 with a required match of \$133,305 for a total project cost of \$1,333,047, supporting documents and assurances to the Florida Department of Transportation (FDOT);

B) approve the purchase of 11 paratransit vehicles from Florida Transportation Systems, Inc. from FDOT Contract TRIPS-17-CA-FTS-C utilizing \$1,199,742 in FDOT funds, \$133,305 in required match for a cumulative purchase price of \$1,333,047 pursuant to the terms and conditions of the resulting Notice of Grant Award;

C) authorize the County Administrator or designee to sign and accept the resulting grant award letter with terms consistent with the grant application and resolution authorizing the grant application's signing and submission; and

D) authorize the County Administrator or designee to submit the Order Form for FDOT Contract TRIPS-17-CA-FTS-C to request purchase of the vehicles/equipment and/or expenditure of grant funds pursuant to a grant award.

SUMMARY: Palm Tran is submitting an application for the acquisition of 11 replacement paratransit vehicles at a total cost of \$1,333,047. The vehicles being replaced were purchased in 2015 with the Public Improvement Revenue Bond funds and have reached their end of life. The grant requires a local match of \$133,305 (10%). The required match is included in Palm Tran's FY2021 budget. The grant application contains an indemnification provision that differs from that adopted for use by the County under PPM CW-F-049. The grant requires the County, to the extent permitted by law and in accordance with the provisions of Section 768.28, Florida Statutes, to indemnify, defend and hold harmless FDOT and all of its officers, agents and employees from any claim, loss, damage, cost, charge, or expense arising out of the County's non-compliance with the application's assurances, including that of its officers, agents or employees. An exception to the PPM has been approved taking into consideration the County's need to provide the services, the amount of the grant award, County's current performance of such services and liability for its acts, and the non-waiver of sovereign immunity beyond the statutory caps of Section 768.28, Florida Statutes. Countywide (MM)

5. PUBLIC HEARINGS – 9:30 A.M.

B. FIRE RESCUE

1. Staff recommends motion to adopt: an ordinance of the Board of County Commissioners of Palm Beach County, Florida, repealing and replacing Sections 12-56 and 12-57 of Chapter 12, Article IV, of the Palm Beach County Code (codifying Ordinances 2017-043 and 2019-011); providing for incorporation of recitals and findings; providing that the updated Florida Fire Prevention Code shall be deemed adopted; providing for Local Amendments to the updated Florida Fire Prevention Code; providing for applicability; providing for repeal of laws in conflict; providing for a savings clause; providing for severability; providing for inclusion in the Code; and providing for an effective date. **SUMMARY:** Pursuant to Chapter 633, Florida Statutes, the State Fire Marshal has or will adopt an updated Florida Fire Prevention Code, which establishes the statewide minimum fire safety code, with an anticipated effective date of December 31, 2020. This updated Florida Fire Prevention Code is based on updated Florida editions of the National Fire Protection Association’s Fire Code (NFPA 1) and Life Safety Code (NFPA 101). The proposed Palm Beach County Local Amendments to the updated Florida Fire Prevention Code are recommended by the County’s Fire Marshal and Fire Code Advisory Board. The Local Amendments establish requirements for life safety features and fire protection features within buildings; collection of fees for plan review and inspection services; and a Fire Code Board. A summary of the proposed changes to the Local Amendments are included as Attachment 2 to this agenda item. Countywide (SB)

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to:
 - A) determine** that Palm Beach County (County) has adhered to and implemented its Five Year Road Program (Road Program) based on substantial evidence that the funding for the current fiscal year and the addition of the new fifth year are as contemplated in the Comprehensive Plan, and that fewer than 20% of the Fiscal Year 2019 construction projects are more than 12 months behind schedule as defined in Attachment “1” to this agenda item;
 - B) adopt** an ordinance amending Chapter 23, Article I, Section 23-1 of the Palm Beach County Code (Ordinance No. R2020-012) pertaining to the Road Program; amending Section 23-1(C) (Adoption of revised Five-Year Road Program); providing for repeal of laws in conflict; providing for a savings clause; providing for severability; providing for inclusion in the Code of Laws and Ordinances; and providing for an effective date; and
 - C) approve** the hiring of professionals to design, appraise and assist in the acquisition of lands, rights-of-way, and easements necessary to undertake the projects identified in the Road Program, as approved herein, including but not limited to the employment of real estate appraisers, engineers, certified public accountants, business damage consultants and experts, and other professionals deemed necessary.

SUMMARY: On November 17, 2020, the Board of County Commissioners approved this amendment of Ordinance No. 85-40 on preliminary reading and authorized advertisement for today’s Public Hearing for final adoption. This is the annual update of the County’s Road Program, which is required to be considered each year by the Road Program Ordinance. The Unified Land Development Code (ULDC) requires that concurrent with the adoption of the annual Road Program, the Board of County Commissioners must determine that the appropriate Findings of Fact associated with the Road Program have been made. Those findings have been made. Exhibit “A” to the ordinance contains the road projects to be undertaken by the County in the next five years. The approval to hire professionals will facilitate the property acquisitions necessary to accomplish the road improvement goals of the Road Program, as amended herein, for Fiscal Year 2021 through Fiscal Year 2025. Countywide (YBH)

5. PUBLIC HEARINGS – 9:30 A.M.

D. PLANNING, ZONING & BUILDING

1. Staff recommends a motion to adopt: an ordinance of the Board of County Commissioners of Palm Beach County, Florida, **Repealing** Ordinance 2017-044: The Palm Beach County Amendments to the Florida Building Code (FBC), 6th Edition, (2017) Chapter 1, “Administration” (FBC-Building) and Figures 1609.3 (1), (2), and (3), Basic Wind Speed Maps (FBC-Building), and Appendix F, “Proposed Construction Building Codes for Turf and Landscape Irrigation Systems” (FBC-Plumbing); **Adopting** the Palm Beach County Amendments to the Florida Building Code (FBC), 7th Edition (2020), Chapter 1, “Administration” (FBC-Building), and Figures 1609.3 (1), (2), (3), and (4) Wind Loads and Maps (FBC-Building), Appendix Q “Tiny Houses” (FBC-Residential), and Appendix F, “Proposed Construction Building Codes for Turf and Landscape Irrigation Systems” (FBC-Plumbing); Providing for Applicability; Providing for Repeal of Laws in Conflict; Providing for Inclusion in the Code of Laws and Ordinances; Providing for a Savings Clause; Providing for Severability; and Providing for an Effective Date. **SUMMARY:** The Florida Legislature enacted Section 553.73, Florida Statutes, mandating a statewide Florida Building Code (FBC) and allowing local governments to adopt their own Administrative Chapter of the FBC. This proposed ordinance adopts an updated Chapter 1 “Administration” of the FBC 7th Edition (2020) applicable to the unincorporated area of Palm Beach County, and in those municipalities having an Interlocal Agreement for the provision of County plan review and inspection services. As in past code updates, this Administrative Chapter 1 is based on the language adopted by the Florida Building Commission, along with model language developed by the Building Officials Association of Florida, which was further refined by the Palm Beach County Building Code Advisory Board and adapted specifically to align with Palm Beach County regulations. Figures 1609.3 (1), (2), (3) and (4) have been renumbered pursuant to changes in the FBC 7th Edition (2020) in accordance with Section 553.73, Florida Statutes, and Section 1609.3 of the FBC, which provides for local governments to establish specific wind speed/wind borne debris lines using physical landmarks, whenever possible. This proposed ordinance also adopts FBC 7th Edition (2020) Appendix Q of the FBC-Residential volume allowing the construction of tiny houses. This proposed ordinance also repeals and re-adopts an updated FBC 7th Edition (2020) Appendix F of the FBC-Plumbing volume regulating new irrigation systems helping to conserve water and protect the public water supply. The Board of County Commissioners approved the request for preliminary reading and advertisement of this proposed ordinance on November 17, 2020. Unincorporated (CK)

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6. REGULAR AGENDA

A. ADMINISTRATION

1. Staff recommends motion to approve: the proposed 2021 State Legislative Agenda. **SUMMARY:** The 2021 State Legislative Agenda outlines issues that the County's Legislative Affairs and Intergovernmental Affairs Offices, in conjunction with the County's contract state lobbyists, will advocate for during the upcoming 2021 state legislative session. The 2021 State Legislative Agenda includes general government and environmental & natural resources, issues with a focus on items related to economic development, substance use and mental health, affordable housing, homelessness, transportation and water and environmental restoration. Countywide (CK)

B. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

1. Staff recommends motion to:

A) approve an Interlocal Agreement with the School Board of Palm Beach County (School Board) for assistance for the safe reopening of schools under the Coronavirus Aid, Relief, and Economic Security (CARES) Act in a not to exceed total amount of \$10,000,000; and

B) authorize the County Administrator or designee to amend the agreement to increase the amount if additional CARES Act funds are available for disbursement.

SUMMARY: The School Board has incurred and is incurring COVID-19 related expenses associated with the safe reopening of schools due to the COVID-19 outbreak. Such expenses include, but are not limited to, the cost of acquiring laptops, personal protective equipment for employees and students, and other costs associated with meeting CDC Guidelines. Pursuant to the CARES Act, the County is authorized to allocate CARES Act funds to the School Board to cover these expenses. This agreement will allow the County to allocate CARES Act funds to the School Board to cover COVID-19 related expenses associated with the safe reopening. This item also seeks to authorize the County Administrator or designee to amend the agreement to increase the contribution should there remain CARES Act funding available for disbursement. If CARES Act funds are not used to cover costs incurred by December 30, 2020, then those funds must be returned to the Department of Treasury. The authorization sought is needed to allow for a timely amendment of the agreement to increase the contribution prior to the December 30, 2020 deadline. In addition, Section XIV of the agreement provides delegated authority to the Director of Office of Financial Management & Budget to send all written notices on behalf of the County, including, but not limited to, any notice of default or notice of termination. Countywide (DB)

2. Staff will present: FY 2022 Budget Projections. **SUMMARY:** Staff will present an overview of the FY2021 Budget and budget projections through FY2025. Based upon input from this presentation staff will begin to prepare for FY2022 Budget and future budget projections. Countywide (DB)

3. Staff requests board direction: on the County's six Strategic Priorities. **SUMMARY:** Staff has prepared presentations on the County's six Strategic Priorities. The presentations will focus on inter-departmental collaborations to address needs and progress on work completed in relation to the individual strategic priorities and how they coordinate with the County's Mission and Vision. Countywide (DB)

4. Staff recommends motion to authorize: the County Administrator or designee to amend Agreement R2020-0507 with the Health Care District of Palm Beach County to increase the not-to-exceed amount if additional CARES Act funds are available for disbursement. **SUMMARY:** This item seeks to authorize the County Administrator or designee to amend the Agreement to increase the contribution should there remain CARES Act funding available for disbursement. If CARES Act funds are not used to cover costs incurred by December 30, 2020, then those funds must be returned to the Department of Treasury. The authorization sought is needed to allow for a timely amendment of the Agreement to increase the contribution prior to the December 30, 2020 deadline. The Health Care District has been an integral and critical partner in Palm Beach County's COVID-19 response efforts. The Health Care District is currently providing testing services at multiple locations in Palm Beach County including The FITTEAM Ballpark of the Palm Beaches, the South County Civic Center, Lakeside Hospital, three fixed clinic locations, various pop-up community sites, and public schools. They are also working with County staff and the Palm Beach County Health Department in the preparation of a COVID-19 vaccination plan. Under the terms of Agreement R2020-0507, Amendment #1 (R2020-1629), and Amendment #2 (R2020-1787), the Health Care District is being reimbursed for expanding their testing services through the use of mobile health units that target underserved neighborhoods and communities where additional testing and future vaccination services will be needed and allows for additional medical response expenses incurred after March 1, 2020, to be reimbursed by the County. Coronavirus Aid, Relief, and Economic Security Act funding will be used for this purpose. The expenditures must be completed by December 30, 2020. Countywide (DB)

6. REGULAR AGENDA

C. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to:

A) approve a budget transfer of \$1,395,000 from contingency reserves to appropriate funding to Facilities Development and Operations;

B) authorize the continuation of emergency cleaning services as required in response to the coronavirus pandemic to be funded out of the general fund; and

C) approve an increase of \$755,000 over the previous authorized amount of \$5,487,413.13 of term contract for custodial services (Master Agreement #19047) for the period of June 1, 2020 through May 31, 2021.

SUMMARY: On March 1, 2020, the Governor of the State of Florida issued a Public Health Emergency due to the COVID-19 pandemic followed by the issuance of a State of Emergency on March 9, 2020. Palm Beach County also issued a local state of emergency on March 13, 2020. Consistently, guidance issued by federal, state and local health agencies has called for improved cleaning and disinfecting procedures to be implemented in public facilities, with a special focus on high-touch surfaces. The Facilities Development and Operations Department (FDO) is responsible for the coordination and oversight of routine cleaning services at a myriad of county facilities. Custodial services are provided per the conditions set forth on Master Agreement #19047 which is currently on its first term of a multi-year contract and which was executed by the County’s Director of Purchasing. County facilities located in the five geographical regions under the contract are serviced by three contractors, United Services, Inc., Stockton Maintenance Group, Inc., and Dammel Cleaning Enterprise Inc. d/b/a Palm Beach & Broward Building Maintenance. Since the issuance of the state of emergency and consistent with the guidance issued by the Center for Disease Control and Prevention (CDC), FDO has coordinated for the provision of increased custodial services at county facilities. The increased level of services includes the addition of assigned custodial workers and the creation of custodial crews that are deployed to county facilities on an as needed basis to provide for emergency cleaning and disinfection. The Coronavirus Aid, Relief, and Economic Security (CARES) Act Relief Fund has been the funding source for this increased level of service. To date, a total \$417,676.68 has been paid for the increased cleaning services and additional invoices estimated at \$340,000 are expected to be received before the CARES Act funds sunset on December 30, 2020. Considering that: 1) the COVID-19 pandemic is still ongoing, 2) an increase in the number of reported COVID-19 positive cases has been recorded, and 3) CDC guidelines continue to highlight the need for frequent cleaning and disinfection of high-touch surfaces, staff is recommending to maintain the increased level of services past the expiration date of the CARES Act funds. As a result, funding from the general fund in an estimated amount of \$155,000 per month will be required to provide for additional custodial services until the end of the current fiscal year, leading to a budget transfer request from the contingency reserves in the amount of \$1,395,000. To accommodate the additional custodial services, an increase of \$755,000 over the previous authorized amount of \$5,487,413.13 of term contract for custodial services (Master Agreement #19047) for the period of June 1, 2020 through May 31, 2021, is required. (FDO ADMIN) Countywide (LDC)

7. BOARD APPOINTMENTS

A. ADMINISTRATION

1. Staff recommends motion to approve: two appointments to the Commission on Ethics (COE) Review Committee, effective December 8, 2020:

<u>Appointment</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
David H. Baker	Appointed by BCC	COE Commissioner Marino
<u>AND/OR</u> Andrea McMillan	Appointed by BCC	COE Commissioner McKinlay Commissioner Sachs Commissioner Marino Vice-Mayor Weinroth
<u>AND/OR</u> Chauncey Graham	Appointed by BCC	COE Commissioner McKinlay Commissioner Sachs Vice-Mayor Weinroth

SUMMARY: The Executive Director of the COE, in agreement with the Ethics Commission and the League of Cities is requesting the COE Review Committee review the following ethics ordinances and make recommendations of proposed amendments to the Board of County Commissioners:

- A)** Commission on Ethics Ordinance;
- B)** Code of Ethics Ordinance; and
- C)** Lobbyist Registration Ordinance.

Although the Board of County Commissioners has authority to appoint individuals without input from the COE, the Ethics Commission is offering three candidates for consideration that they believe will provide the expertise and diversity needed to represent the citizens of Palm Beach County. The COE nominees are David H. Baker, Esquire; Andrea McMillan, Esquire; and Chauncey Graham.

B. COMMISSION DISTRICT APPOINTMENTS

DECEMBER 15, 2020

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

DECEMBER 15, 2020

9. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

District 2 – COMMISSIONER GREGG K. WEISS

District 3 – COMMISSIONER DAVE KERNER

District 4 – COMMISSIONER ROBERT S. WEINROTH

District 5 - COMMISSIONER MARIA SACHS

District 6 - COMMISSIONER MELISSA MCKINLAY

District 7 – COMMISSIONER MACK BERNARD

DECEMBER 15, 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."