

January 12, 2021  
9:30am

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

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**JANUARY 12, 2021**

<b><u>PAGE</u></b>	<b><u>ITEM</u></b>	
39	3EE-2	DELETED FOR FURTHER STAFF REVIEW

**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**

**JANUARY 12, 2021**

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

**COMMISSION  
CHAMBERS**

- 1. CALL TO ORDER**
  - A. Roll Call
  - B. Invocation
  - C. Pledge of Allegiance
- 2. AGENDA APPROVAL**
  - A. Additions, Deletions, Substitutions
  - B. Adoption
- 3. CONSENT AGENDA (Pages 7-42)**
- 4. SPECIAL PRESENTATIONS (Page 43)**
- 5. PUBLIC HEARINGS - 9:30 A.M. (Pages 44-45)**
- 6. REGULAR AGENDA (Pages 46-49)**
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**MATTERS BY THE PUBLIC – 2:00 P.M.** (Page 54)

**ADJOURNMENT** (Page 55)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. [Staff recommends motion to approve:](#) the appointment of Libbey Webb to the CareerSource Palm Beach County, Inc. Board of Directors (Board) for the seat and term indicated below.

<u>Appointment</u>	<u>Seat No.</u>	<u>Term</u>	<u>Area of Representation</u>	<u>Nominated By</u>
Libbey Webb	2	1/12/21-1/11/24	Private Sector	Dawson-Williams, Inc.

**SUMMARY:** On November 18, 2014, the Board of County Commissioners (BCC) approved the third amendment to Interlocal Agreement (R2014-1650) creating the Palm Beach Workforce Development Consortium (R2007-1220) which establishes the current Board composition. The Agreement states that 14 private sector members are appointed by the BCC. The federal Workforce Innovation and Opportunity Act requests that an emphasis be placed on Chief Executive Officers or highest level of management positions for both community and business sector appointments. The CareerSource Palm Beach County, Inc. Board of Directors is comprised of a minimum of 19 members with representation established in Attachment 4 to this agenda item. The Board has a maximum of 33 seats, 19 currently filled and a diversity count of Caucasian: 14 (74%), African-American: 3 (15%) and Hispanic: 2 (11%). The gender ratio (female:male) is: 5:14. The nominee is Caucasian female. Countywide (HH)

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>
June 25, 2020	Zoning
July 7, 2020	Regular
July 14, 2020	Regular
July 28, 2020	Comprehensive Plan

3. [Staff recommends motion to approve:](#) Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. Countywide
4. [Staff recommends motion to receive and file:](#) Annual financial reports, excess fees and unexpended budget for Fiscal Year 2019-2020, for the Clerk & Comptroller, Tax Collector, and Property Appraiser. **SUMMARY:** The financial reports of these Constitutional Officers were submitted to the Office of the Clerk & Comptroller on or before October 31, 2020, in accordance with Section 218.36, Florida Statutes. The amounts shown for the Tax Collector and the Property Appraiser represent the total payment to the County. A portion of these revenues are budgeted in the Library, Fire-Rescue, and various other special revenue funds. The amounts shown as additional/decrease in excess fees will be included in the adjustment for additional balances brought forward, which will be brought to the Board of County Commissioners in March 2021. Countywide (DB)



3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER (Cont'd)

5. Staff recommends motion to:

A) review for sufficiency Report of County Officials Bonds dated January 2021, and

B) receive and file Report of County Officials Bonds dated January 2021.

**SUMMARY:** Ordinance No. 98-51 sets the various bond amounts for specified county officers and provides for examination of the sufficiency of all the bonds at the regular meeting of the Board of County Commissioners in January and June of each year. Countywide (DB)

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to receive and file: an interlocal agreement with the Town of Lake Park (Town) dated September 10, 2020, for the installation and maintenance of decorative art wraps on traffic signal control cabinets located within the Town's municipal limits. **SUMMARY:** In accordance with Countywide PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. This agreement was executed by the County Engineer on September 10, 2020, per Resolution R2019-0481. District 7 (YBH)

2. Staff recommends motion to approve: a Work Task Order (WTO) to the Annual Structural Engineering Professional Services Contract (R2020-0548) dated June 2, 2020 (Contract) with R.J. Behar & Company, Inc. (RJB) in the amount of \$196,205.02 for the Linton Boulevard Bascule Bridge (Project). **SUMMARY:** Approval of this WTO will provide the professional services necessary to replace and upgrade the existing bridge railing. The Affirmative Procurement Initiative selected for this Contract on April 3, 2019 by the Goal Setting Committee is a 20% minimum mandatory Small Business Enterprise (SBE) participation. RJB agreed to 22% SBE participation for the Contract. They agreed to 0% SBE participation for this WTO. The cumulative SBE participation to date including this WTO is 1.6%. Four prior WTOs averaged \$22,621 and offered limited availability for SBE participation, however SBE participation is expected to meet the 22% commitment before the Contract expiration in 2023. All the work for this WTO involves the moveable span of the bascule bridge. This is specialty work and there are no local SBE firms. RJB is a Palm Beach County based company. **This Project is included in the Five-Year Road Program.** District 4 (YBH)

3. Staff recommends motion to approve: a contract with Propel Engineering, Inc. (PEI) in the amount of \$402,959.86 for professional engineering services for the Melaleuca Lane and Jog Road Intersection Improvements (Project). **SUMMARY:** Approval of this contract will provide the professional services necessary for preparation of design plans and construction bid documents for improvements to the Project. The Affirmative Procurement Initiatives selected for this contract on March 6, 2019 by the Goal Setting Committee are a 20% minimum mandatory Small Business Enterprise (SBE) participation and an SBE Evaluation Preference. PEI agreed to 88% SBE participation during selection for the contract. PEI is a Palm Beach County based company and a certified SBE company. **This Project is included in the Five-Year Road Program.** District 2 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

4. **Staff recommends motion to approve:** an Annual Street Lighting System Design and Related Construction Engineering Inspection (CEI) Services contract with HBC Engineering Company (HBC). **SUMMARY:** Approval of this contract will provide the professional services necessary for street lighting system design and related CEI services throughout Palm Beach County (County) on a work task order basis. The contract period for this contract is 36 months from the date of approval by the Board of County Commissioners. The Affirmative Procurement Initiative selected for this contract on June 3, 2020, by the Goal Setting Committee is a Small Business Enterprise (SBE) Evaluation Preference. HBC agreed to 100% SBE participation for the contract. HBC has a Palm Beach County office and is a certified SBE company. Countywide (YBH)
  
5. **Staff recommends motion to approve:**
  - A) waiving a portion of Section 7-11.6.1 of the contract dated September 26, 2017 (R2017-1197) with Ranger Construction Industries, Inc. (Ranger) for the Hood Road east of Florida's Turnpike to west of Central Boulevard, and Hood Road and Central Boulevard Improvements (Project); and
  
  - B) Change Order No. 18 with Ranger in the amount of \$56,534 and a contract time extension of 13 days.

**SUMMARY:** Approval of this waiver will eliminate a conflict between the contract's Sections 7-11.6.1 and 8-7.3.2, and will allow for the approval of Change Order No. 18. The Engineering Department recommends that the Board of County Commissioners (BCC) waive a portion of Section 7-11.6.1 of this contract which states, in relevant part, that Palm Beach County is not liable for added expense to the Contractor due to activities of utility companies. The Department recommends this limited waiver and approval of Change Order No. 18 in this specific circumstance, due to Ranger's diligence and performance, including but not limited to, taking all reasonable measures to minimize the effect of the Project's unforeseen overhead utility conflicts on job progress. Per PPM CW-F-050, this change order exceeds the cumulative threshold relating to staff approvals of change orders to contracts and requires BCC approval. Change Order No. 18 will compensate Ranger for costs and delays associated with overhead utility conflicts, and will extend the contract time by 13 days resulting in a new completion date of September 13, 2019. The contract was approved on September 26, 2017, 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 was 15%. Ranger committed to 16.7% SBE participation. The SBE participation for this change order is 0%, and the cumulative SBE participation, including this change order, is 15%. Ranger is a Palm Beach County based company. District 1 (YBH)
  
6. **Staff recommends motion to adopt:** a resolution abandoning any public interest in a portion of the 12-foot wide utility easement lying in the north 2 feet of the west 12 feet of Tract A, Plat No. 1 of Delray Villas, according to the plat thereof, as recorded in Plat Book 37, Pages 4 through 7 (Abandonment Site), Public Records of Palm Beach County (County). **SUMMARY:** Adoption of this resolution will eliminate the public dedication that is in conflict with the right-of-way dedicated to the County by Delray SL One, LLC (Petitioner) in the Warranty Deed recorded in Official Record Book 31189, Pages 862-867. The Petitioner has requested the County clear this encumbrance to make the right-of-way free of encumbrances, for the expansion of Lake Ida Road. All reviewing agencies and utility service providers have approved this abandonment and the utility easement serves no present or future public purpose. The Abandonment Site is located at the southeast corner of Lake Ida Road and Via Flora. District 5 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

7. Staff recommends motion to receive and file: a report of plat recordations from April 1, 2020 through September 30, 2020. **SUMMARY:** This report is a bi-annual summary of subdivision plats recorded during the fiscal quarters since the previous report. There were 18 plats recorded during this period. This report is required by the Department of Engineering and Public Works Policies and Procedures Manual Item No. EL-O-2618, governing administrative approval of plats by the County Engineer. Countywide (YBH)
8. Staff recommends motion to receive and file: a proportionate share agreement for \$12,751,404 (Project Control Number # 2005-00394) with Highland Dunes Associates Property LLC dated October 29, 2020, for their proposed project located at 660 Arden Lake Way, Wellington. **SUMMARY:** In accordance with Countywide PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. This agreement was executed by the County Administrator on October 29, 2020, per Resolution R2016-0125. District 6 (SAS)
9. Staff recommends motion to receive and file: Supplemental Agreement Number 2 to the State-Funded Grant agreement, R2018-0364, with the Florida Department of Transportation (FDOT) for the design of improvements at State Road 7 and Weisman Way extending the expiration date of the agreement from December 20, 2020 to June 30, 2021. **SUMMARY:** In accordance with Countywide PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file agenda item. As authorized by Resolution R2012-0035, and delegation from the County Administrator, the Deputy County Engineer approved Supplemental Agreement Number 2 on November 5, 2020. District 6 (YBH)

E. COMMUNITY SERVICES

1. Staff recommends motion to:
  - A) receive and file** the U.S. Department of Housing and Urban Development (HUD) 2019 Continuum of Care (CoC) Planning Grant Agreement No. FL0822L4D051900 (CDFA # 14.267), for the period October 1, 2020 through September 30, 2021, in an amount up to \$168,918, to provide the coordination of activities related to ending homelessness;
  - B) receive and file** the HUD 2019 Homeless Management Information System (HMIS) Implementation Grant Agreement No. FL0823L4D051900 (CDFA # 14.267), for the period October 1, 2020 through September 30, 2021, in an amount up to \$281,530, to provide the coordination of activities related to HMIS; and
  - C) approve** a budget amendment in the amount of \$281,530 in the Housing and Urban Development Fund, to align the budget to the grant awards.

**SUMMARY:** On November 5, 2019, the Board of County Commissioners (BCC) ratified the Mayor's signature on the 2019 HMIS Implementation Grant Application (R2019-1719). The Palm Beach County HMIS Implementation Grant will provide funding for the coordination of activities related to the HMIS and ending homelessness. These activities involve coordination of monthly CoC meetings and sub-committee meetings, data quality, reporting, training, project implementation, project performance and evaluation to ensure compliance with federal funding. A 25% in-kind match of \$42,230 is required for FL0822L4D051900 and is included in the FY2021 budget. A 25% in-kind match of \$70,383 is required for FL0823L4D051900 and will be provided through staff salaries and included in the FY2021 budget. The emergency signature process was utilized because there was insufficient time to submit this application through the regular agenda process. Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to receive and file:

**A)** Subrecipient Agreement with Catholic Charities of the Diocese of Palm Beach, Inc., for the period August 1, 2020 through March 27, 2022, in the amount of \$199,940, for homeless prevention services;

**B)** Subrecipient Agreement with Adopt-A-Family of the Palm Beaches, Inc., for the period August 1, 2020 through March 27, 2022, in the amount of \$200,000, for homeless prevention services;

**C)** Subrecipient Agreement with Farmworker Coordinating Council of Palm Beach County, Inc., for the period August 1, 2020 through March 27, 2022, in the amount of \$50,000, for homeless prevention services;

**D)** Subrecipient Agreement with The Salvation Army, a Georgia Corporation, for the period August 1, 2020 through March 27, 2022, in the amount of \$100,000, for homeless prevention services;

**E)** Subrecipient Agreement with The Lord's Place, Inc., for the period August 1, 2020 through March 27, 2022, in the amount of \$240,130, for homeless prevention services; and

**F)** Subrecipient Agreement with Vita Nova, Inc., for the period August 1, 2020 through March 27, 2022, in the amount of \$139,930, for homeless prevention services.

**SUMMARY:** On April 2, 2020, the U.S. Department of Housing and Urban Development (HUD) notified Palm Beach County Department of Housing and Economic Sustainability of the award in the amount of \$1,941,176 Emergency Shelter Grant – CARES (ESG-CV) to respond to the Coronavirus (COVID-19) pandemic. Staff proposed allocations of the ESG-CV funds to activities mitigating the impact of COVID-19 on the homeless and those at risk of homelessness. On May 5, 2020, the Board of County Commissioners approved the ESG-CV funding. The above listed subrecipients will provide homeless prevention assistance to low income individuals or families at imminent risk of becoming homeless due to COVID-19. The funds will assist approximately 216 households with short to medium term rental and utilities assistance. The subrecipient agreements were executed by the County Administrator in accordance with Agenda Item 6C-3, dated May 5, 2020, which delegated signature authority to the County Administrator or designee. This item is being submitted in accordance with Countywide PPM No. CW-0051 to allow the Clerk's office to receive and file these agreements. No County funds are required. Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends motion to receive and file: amendments to agreement for Provision of Ryan White Part A HIV Health and Support Services, for the period March 1, 2020 through February 28, 2021, in an amount totaling \$62,723, for existing programs to continue improving health outcomes for people living with HIV:

**A)** Amendment No. 2 to Contract for Provision of Ryan White Part A HIV Health Support Services with AIDS Healthcare Foundation, Inc. (AHF) (R2019-0491), increasing funding by \$1,210, for a total not-to-exceed amount of \$28,790 of which \$15,000 is budgeted for Grant Year 2020 for AIDS Pharmaceutical Assistance; and

**B)** Amendment No. 2 to Contract for Provision of Ryan White Part A HIV Health Support Services with AIDS Healthcare Foundation, Inc.(AHF) (R2019-1615), to decrease funding by \$157,669 for a total not-to-exceed amount of \$161,130 of which \$47,723 is budgeted for Grant Year 2020 for Emergency Financial Assistance – Prior Authorization and Food Bank- Nutritional Supplements.

**SUMMARY:** On April 2, 2020, the U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA) issued a final notice of award. The total grant award for Grant Year (GY) 2020 is \$7,458,808. This funding allows the Ryan White Program Part A to continue funding much needed medical and support services to Palm Beach County residents living with HIV/AIDS. The funds will be used to serve approximately 259 persons living with HIV/AIDS with core medical and support services to improve health outcomes. The Director of Purchasing has authority to execute these agreements pursuant to Section 2-54(f)(4) of the Palm Beach County Code. These budget amendments are necessary to align the County budget with the actual grant award. Kristen Harrington, an employee of the AIDS Healthcare Foundation, is a member of the Palm Beach County HIV CARE Council. The HIV CARE Council provides no regulation, oversight, management or policy-setting recommendations regarding the agencies listed above. Disclosure of these contractual relationships at a duly noticed public meeting is being provided in accordance with the provisions of Sections 2-443, of the Palm Beach County Code of Ethics. These are Ryan White Part A grant funds which require no local match. Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. Staff recommends motion to receive and file:

**A)** amendments to agreements for Provision of Ryan White Part A HIV Support Services, for the period March 1, 2020 through February 28, 2021, in an amount not-to-exceed \$5,512,285, for new and existing programs to continue improving health outcomes for clients with HIV/AIDS.

**1)** Amendment No. 4 with Compass, Inc. (R2018-0370), in an amount not-to-exceed \$1,100,424, for the provision of improving health outcomes of people living with HIV;

**2)** Amendment No. 3 with FoundCare, Inc. (R2018-0224), in an amount not-to-exceed \$3,207,018, for the provision of improving health outcomes of people living with HIV;

**3)** Amendment No. 3 with Legal Aid Society of Palm Beach County, Inc. (R2018-0221), in an amount not-to-exceed \$280,000, for the provision of improving health outcomes of people living with HIV;

**4)** Amendment No. 3 with AIDS Healthcare Foundation, Inc. (R2018-0370), in an amount not-to-exceed \$303,984, for the provision of improving health outcomes of people living with HIV;

**5)** Amendment No. 4 with Treasure Coast Health Council, Inc. (R2018-0222), in an amount not-to-exceed \$620,859, for the provision of improving health outcomes of people living with HIV; and

**B)** Subrecipient Agreement with Treasure Coast Health Council, Inc., in an amount not-to-exceed \$175,252, for the period July 1, 2020 through March 31, 2021, to prevent, prepare for and respond to the Coronavirus (COVID-19) pandemic for clients in the Ryan White HIV/AIDS Program under the Coronavirus Aid, Relief, and Economic Security (CARES) Act; and

**C)** Subrecipient Agreement with Treasure Coast Health Council, Inc., in an amount not-to-exceed \$161,248, for the period September 1, 2020 through February 28, 2021, for the provision of improving health outcomes for clients in the Ryan White HIV/AIDS Program under the Minority AIDS Initiative (MAI).

**SUMMARY:** On April 2, 2020, the U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA) issued a final notice of award. The total grant award for Grant Year (GY) 2020 is \$7,458,808. Which also includes funding of \$161,248 for the MAI. This funding allows the Community Services Department (CSD) to continue funding much needed medical and support services to Palm Beach County residents living with HIV/AIDS. Under this contract, the program will serve approximately 3,100 clients. In GY 2019, 3,100 clients were served. A Notice of Award received April 10, 2020 from the U.S Department of HRSA, Coronavirus Aid Relief and Economic Security in the amount of \$294,724 to prevent, prepare for and respond to Coronavirus (COVID-19) pandemic for clients in the Ryan White HIV/AIDS Program. Under the agreement, funding in the amount of \$175,252 will be used to prevent, prepare and respond to COVID-19 pandemic, as it relates to the needs of Ryan White HIV/AIDS clients. Under this contract, 265 clients will be served. The grant will allow the CSD to continue providing needed medical and support services to Palm Beach County residents living with HIV/AIDS. Kimberly Rommel-Enright and Kristina Rowe, employees of Legal Aid Society of Palm Beach County, Inc., Lilia Perez and Quinton Dames, employees of Foundcare Inc., Ashnika Ali, employee of Treasure Coast Health Council, Inc., Kristen Harrington, employee of AIDS Healthcare Foundation, Inc., Lysette Perez, employee of Compass, Inc., are members of the HIV CARE Council. Yolette Bonnet, employee of Foundcare is a member of the Health Facilities Authority. Marcia Hayden, employee of Treasure Coast Health Council Inc., is a member of the Planning Commission. These boards provide no regulation, oversight, management, or policy-setting recommendation regarding the agencies listed above. Disclosure of these contractual relationships 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. These are Ryan White Part A and MAI grant funds, which require no local match. (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. Staff recommends motion to approve: a contract for Provision of Financial Assistance with Adopt-A-Family of the Palm Beaches, Inc., for the period October 1, 2020 through September 30, 2023, for the operation of Program Responding to Emergencies and Altering the Crisis of Homelessness (REACH), to provide emergency shelter for families in need, in an amount not-to-exceed \$1,016,851 over a three-year period of which \$338,951 is budgeted in Fiscal Year (FY) 2021 with an anticipated annual allocation of 338,951 in each subsequent fiscal year for the term of this contract. **SUMMARY:** Program REACH (the Program) is administered by Adopt-A-Family, Inc. (AAF) and serves homeless families consisting of adults with minor dependent children who are residents of Palm Beach County. The Program will provide interim/emergency shelter and wrap around services for up to 80 families with dependent children to foster family recovery and stable housing solutions. The Program works in coordination with the Senator Philip Lewis Homeless Resource Center to meet the goals of the County's Plan to end homelessness. AAF has served 85 families in FY17, 84 families in FY18 and 107 families in FY19. Countywide (HH)
  
6. Staff recommends motion to approve: Amendment No. 1 to contract for Provision of Financial Assistance with 211 Palm Beach/Treasure Coast, Inc. (R2019-1611), for the period October 1, 2020 through September 31, 2022, to increase funding in the amount of \$15,000 in FY 2021 and FY 2022, for a new total amount of \$650,580, of which \$221,860 is budgeted in FY 2021 with an anticipated annual allocation of \$221,860 in each subsequent fiscal year, contingent upon a budgetary appropriation by the Board of County Commissioners, to provide an information helpline to serve as a source of information and referrals to Palm Beach County families and elder crisis outreach services. **SUMMARY:** The mission of 211 Palm Beach/Treasure Coast, Inc. (211) is to connect people to services 24 hours a day by understanding their individual emotional, financial and community needs and to support the health & human service system as a whole. 211 Palm Beach/Treasure Coast, Inc. provides empathetic guidance and support to individuals and families in distress or in need of information about health and human service programs. 211 Palm Beach/Treasure Coast, Inc. operates a 24-hour per day, 365 day per year telephone helpline/hotline service providing an array of support and assistance, including information, assessment, advocacy, referral and linkage to appropriate community agencies, as well as crisis intervention and suicide prevention. 211's Palm Beach/Treasure Coast, Inc., has assisted 931 elders through the Elders Crisis Outreach and 49,042 phone calls through the telephone helpline. This amendment is necessary to provide a living wage increase for 211 employees. Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

7. Staff recommends motion to approve: amendments to contracts for Provision of Services with the agencies listed below, for the period October 1, 2020 through September 30, 2021, in an amount totaling \$4,297,013, to provide a variety of human services to homeless county residents:

**A)** Amendment No. 03 with Gulfstream Goodwill Industries, Inc. (R2016-1442), to increase funding by \$139,535, for a new total contract amount not-to-exceed \$10,943,080, for engagement, interim housing and rapid re-housing services to homeless individuals;

**B)** Amendment No. 04 with Adopt-A-Family of the Palm Beaches, Inc. (R2016-1443), to increase funding by \$84,860, for a new total contract amount not-to-exceed \$8,214,591, for engagement, interim housing, rapid re-housing and navigation services to homeless families and;

**C)** Amendment No. 03 to Contract for provision of Services with The Lord's Place, Inc. (R2016-1444), to increase funding by \$10,225, for a new total contract amount not-to-exceed \$1,032,755, for employment services to homeless individuals and families.

**SUMMARY:** The amendments reflect an increase of 5% that was approved during the FY21 budget process. The agencies listed will provide a variety of supportive services to homeless individuals and families, which include case management, navigation, employment counseling, engagement, interim housing and rapid re-housing and permanent supportive housing. A total of \$4,297,013 in County funds is in the proposed FY2021 budget. The original contracts are for a five-year period with yearly renewals. Joshua Butler, an employee of Gulfstream Goodwill Industries, Inc. is a member of the Homeless Advisory Board. This board provides no regulation, oversight, management, or policy-setting recommendations regarding the agencies listed above. Disclosure of this contractual relationship at a duly-noticed public hearing is being provided in accordance with the provisions of Section 2-443, of Palm Beach County Code of Ethics. Countywide (HH)



3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

8. Staff recommends motion to:

**A) ratify** the signature of the Mayor on amendment No. 1 to IP004 Department of Children and Families (DCF) Unified Homeless Grant (CFSA 60.021), to increase funding by \$1,218,000 for a new total of \$1,911,428.55 of which \$693,428.55 is available from July 1, 2019 through June 30, 2022 and \$1,218,000 is available from April 29, 2020 through June 30, 2021;

**B) approve** a budget amendment in the amount of \$1,218,000 in the general fund to align the budget with the grant award; and

**C) approve** a Subrecipient Agreement with The Lord's Place Inc., for the period December 1, 2020 through June 30, 2021, in the amount of \$1,187,600, to provide emergency shelter, rapid re-housing, outreach, and street engagement services for the homeless to prevent the spread of COVID-19.

**SUMMARY:** On May 26, 2020, DCF notified the Palm Beach County Community Services Department (CSD) of the opportunity to apply for Emergency Solutions Grant Coronavirus (ESG-CV) funding from the Coronavirus Aid, Relief, and Economic Security (CARES) Act. DCF awarded the additional funding to CSD by amending the existing grant agreement IP004 Unified Homeless Grant which was approved by the Board of County Commissioners on August 20, 2019. The Unified Homeless Grant provides funding for the coordination of services related to homeless prevention for at risk families and planning and evaluation of the Palm Beach County Homeless and Housing Alliance, and now includes funding for emergency shelter, homeless street outreach, and rapid re-housing as a result of the CARES Act. The funding will provide sheltering for a minimum of 9 individuals per month, street outreach activities for a minimum of 35 individuals per month, and rapid re-housing for a minimum of 3 individuals per month. Funds must be spent by June 30, 2021. The Lord's Place, Inc. has been selected as subrecipient of the ESG-CV funding due to their expertise with street outreach. No county funds are required (The Division of Human Services) Countywide (HH)

F. AIRPORTS

1. Staff recommends motion to approve: Utility Easement Agreement (Easement) with Florida Power & Light Company (FPL) for facilities on County-owned property on Wallis Road, west of the Palm Beach International Airport (PBI). **SUMMARY:** The Easement will provide for electric utilities and communications to serve facilities being constructed by PBI Post Distr. LLC (PBI Post) on their leasehold west of PBI (R-2017-1892, as amended). FPL is providing electric utility service and requires an easement. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. **Staff recommends motion to approve:** Digicast subscription (Digicast) with American Association of Airport Executives (AAAE) providing for web-enabled training for the Department of Airports (DOA), for an annual subscription fee of \$6,441, for a period of twelve months, commencing upon payment of the subscription fee to AAAE. **SUMMARY:** Digicast contains copyrighted training material and this subscription is exempt under the Purchasing Code. AAAE requires that the County agree to a limitation of liability provision that deviates from the County's standard. In accordance with PPM CW-F-049, the Department of Risk Management and the County Attorney's Office, following negotiations with AAAE, agreed that AAAE shall not be liable for any direct, indirect, incidental, special, consequential or exemplary damages, including without limitation, damages for loss of profits, goodwill, use, data loss or other losses (even if AAAE has been advised of the possibility of such damages) resulting from: (i) the use or inability to use the site, (ii) the cost of procurement of any substitute products and/or services resulting from any products, data, information or services obtained or which the subscriber was unable to obtain or transactions effected or failed to be effected, (iii) any link provided in connection with the site or (iv) any matter otherwise related to the subscriber's use of the site. AAAE is required to indemnify the County for their acts or omissions under the subscription. Countywide (AH)
  
3. **Staff recommends motion to receive and file:** two Consent to Sublease (Consent) documents, consenting to the sublease by Jet Aviation Associates, Ltd. (Jet) at the Palm Beach International Airport (PBI), with the following subtenants:  
  
A) Essex Aviation Group, Inc., effective 10/1/2020  
  
B) Haven Health Management, LLC, effective 10/1/2020.  
  
**SUMMARY:** Jet provides fixed base operator services at PBI pursuant to a Lease Agreement (R99-2239, as amended), with the County. The lease agreement allows Jet to sublease space subject to the County's consent. Delegation of authority for execution of the standard form consent to sublease was approved by the Board in R94-1453. Countywide (AH)
  
4. **Staff recommends motion to receive and file:** Terminal Space Lease Agreement (Agreement) with F.B. Enterprise Holdings, LLC d/b/a Top Flight Aviation Services (Top Flight), commencing November 16, 2020, and terminating on May 31, 2021, for the lease of approximately 87 square feet of space at the Palm Beach International Airport (PBI) terminal building, for payment of rent in the amount of \$3,265.29. **SUMMARY:** Top Flight provides support services to airlines at PBI and leased space at the ticketing level, curbside, to assist airline passengers. Delegation of authority for execution of the standard form Terminal Space Lease Agreement was approved by the Board pursuant to R2018-0995. Countywide (AH)
  
5. **Staff recommends motion to receive and file:** Airline Service Incentive Program Participation Agreement (Incentive Agreement) with JetBlue Airways Corporation (JetBlue), providing for waiver of landing fees from November 20, 2020, through November 19, 2022, for flights from Los Angeles International Airport. **SUMMARY:** The Incentive Agreement waives landing fees for certain flights. Delegation of authority for the execution of the standard Airline Service Incentive Program Participation Agreement was approved by the Board in R2014-0251. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

6. **Staff recommends motion to receive and file:** an amendment to the Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation for a time extension of the Perimeter Fence Improvements at Palm Beach County Park Airport, Financial Management Number 436398-1 approved by the Board January 15, 2019 (R2019-0046 and R2019-0047), until September 30, 2021. **SUMMARY:** The amendment for a time extension of the PTGA extends the availability of grant funding to allow for the continuation of project activities at said airport. Delegation of authority for execution of the above Amendment for extension of the PTGA was approved by the Board on August 25, 2020 (R2020-1017). Countywide (AH)
  
7. **Staff recommends motion to approve:** Change Order No. 2 to Amendment No. 1 to the Construction Manager (CM) at Risk Contract (Contract) with The Morganti Group, Inc. (MGI) in the amount of \$72,529.17 for Work Order SMC 01: Terminal 2nd Level Temperature and Humidity Issues Corrections Phase 1 at Palm Beach International Airport (PBI). **SUMMARY:** Amendment No. 1 (Work Order SMC 01) in the amount \$1,383,500 and 220 calendar days was approved by the Board on June 2, 2020 (R2020-0556). Change Order No. 1 in the amount of \$34,896.07 and eight calendar days was approved in accordance with the authority designated in PPM CW-F-050. MGI is a Danbury, Connecticut, based firm; however, the work will be directly managed by their southeast regional office in Palm Beach County. Approval of Change Order No. 2 in the amount of \$72,529.17 will provide compensation to MGI to complete the unforeseen conditions encountered under Work Order SMC 01: Terminal 2nd Level Temperature and Humidity Issues Corrections Phase 1 at PBI. The project was presented to the Goal Setting Committee on December 18, 2019 and an Affirmative Procurement Initiatives of 16% S/MBE participation was applied, of which 4% will be an MBE Goal for African Americans and Hispanics. The SBE participation on this project is 15.85% and the MBE is 4.34%. The SBE participation for this change order is 0.8%, of which the MBE is 0.8%. Countywide (AH)
  
8. **Staff recommends motion to receive and file:** Terminal Space Lease Agreement (Agreement) with PrimeFlight Aviation Services, Inc. (PrimeFlight), commencing December 1, 2020, and terminating on September 30, 2021 (Initial Term), and automatically renewing on an annual basis each October 1<sup>st</sup> to September 30<sup>th</sup> until canceled, for PrimeFlight to lease approximately 116 square feet of ticket office space in the Palm Beach International Airport (PBI) terminal building for payment of rental in the amount of \$6,698.03 for the Initial Term. **SUMMARY:** PrimeFlight provides aeronautical services, including skycap and wheelchair services to airlines at PBI. The Agreement provides for the lease of a 116 square foot ticket office. The Agreement terminates PrimeFlight's prior Terminal Space Lease Agreement dated March 7, 2019 (R-2019-0493), under which PrimeFlight leased 308 square feet of ticket office space. Delegation of authority for execution of the standard form Terminal Space Lease Agreement was approved by the Board pursuant to R2018-0995. Countywide (AH)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** a Utility Easement Agreement (Easement) in favor of Florida Power & Light (FPL), for underground electrical services and an above ground pad-mounted transformer to service the new Palm Beach County Sheriff's Office Forensic Sciences and Technology Facility (Facility). **SUMMARY:** The Facility is located at the northwest corner of Congress Avenue and Gun Club Road in West Palm Beach. During the development process, underground electric services and an aboveground pad-mounted transformer were installed. A non-exclusive easement in favor of FPL will be granted at no charge, as the electrical improvements will only service the Facility. The easement area is approximately 10 feet in width by approximately 359 feet in length, containing approximately 3,593.6 square feet (0.082 acres). (Property and Real Estate Management) District 2 (HJF)
  
2. **Staff recommends motion to approve:** an increase in the maximum dollar value of the annual asphalt contracts by \$1,000,000 to provide new or repair asphalt, paving and pathway construction services to County properties on an as-needed basis through June 18, 2023.

<u>Contractor</u>	<u>Resolution #</u>	<u>Status</u>
<b>A)</b> All-Dade Driveway Maintenance Co. dba Driveway Maintenance, Inc.	R2020-1691	Non-Local/Non-SBE
<b>B)</b> Almazan Construction, LLC	R2018-0907	Local / SBE
<b>C)</b> Andrea Construction, Inc.	R2018-0908	Local / SBE
<b>D)</b> Devland Site Paving and Utilities, Inc.	R2018-0909	Local / Non-SBE
<b>E)</b> Hatcher Construction & Development, Inc.	R2018-0910	Local / SBE
<b>F)</b> Precise Paving, Inc.	R2020-1347	Local/SBE
<b>G)</b> R & D Paving, LLC	R2018-0911	Local / SBE
<b>H)</b> Saffold Paving, Inc.	R2018-0912	Local / SBE
<b>I)</b> West Construction, Inc.	R2018-0913	Local / Non-SBE
<b>J)</b> Florida Blacktop, Inc.	R2019-0989	Non-Local/Non-SBE
<b>K)</b> Lanzo Construction, Co.	R2019-0990	Non-Local/Non-SBE
<b>L)</b> M & M Asphalt Maintenance, Inc. d/b/a All County Paving	R2019-0991	Local/Non-SBE
<b>M)</b> Weekley Asphalt Paving, Inc.	R2019-0992	Non-Local/Non-SBE
<b>N)</b> Wynn & Sons Environmental Construction Co. Inc.	R2019-0993	Local/SBE

**SUMMARY:** On June 19, 2018, the Board of County Commissioners initially approved the annual Asphalt, Paving and Pathway contract for an initial term of two years with three one-year renewal options. On July 23, 2019, Amendment No. 1 extended the term of the contract to June 18, 2023. During the first two years of the contract, the County awarded \$922,407.85 in work orders. Staff is requesting the cumulative limit be increased by \$1,000,000 for a total cumulative value of \$2,000,000 in order to accommodate additional anticipated new projects required to be accomplished before the term of this contract expires on June 18, 2023. Work is to be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract before the term ends. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors (currently 14 have pre-qualified) and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least ten days before the bid due date. The asphalt, paving and pathway annual contract was presented to the Goal Setting Committee on January 2, 2019, and the Committee established Affirmative Procurement Initiatives of sheltered market for projects under \$100,000 or a Small Business Enterprise contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid. The Small/Minority/Women Owned Business Enterprise (S/M/WBE) actual 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 asphalt, paving and pathway annual contract is 83.55%. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve: Work Order No. 21-001 to the annual Heating, Ventilation and Air Conditioning (HVAC) contract with Precision Air Systems, Inc. (R2020-0022) in the amount of \$224,702 for the Royal Palm Beach Library - Chiller Replacement project for a period of 90 calendar days from permit issuance or until project is complete. **SUMMARY:** The work consists of furnishing the labor, equipment, and materials needed to remove and replace the existing York water-cooled chiller with a new Trane chiller system including new stainless steel starter pumps, connectors and disconnects. The existing chiller unit is more than 11 years old, is experiencing on-going maintenance problems, and deficient cooling performance. The unit has outlived its useful life. This project was competitively advertised and new contractors were invited to bid on the project by submitting a prequalification application prior to the submission of the bid response. On March 4, 2020, the Goal Setting Committee applied Affirmative Procurement Initiatives of sheltered market for projects under \$100,000 (when three or more Small Business Enterprises (SBE) are qualified under the annual contract) or a SBE contractor will be given a price preference if its bid is within 10% of the lowest responsive and responsible bidder for projects in excess of \$100,000. Since this project was over \$100,000, the SBE price preference API was applied. The contractor is not a certified SBE but submitted 3.81% SBE participation on this work order. The overall SBE participation on the annual HVAC contract is 31.85%. The contractor is a local business. Funding for this project is from the Library Improvement Fund. (Capital Improvements Division) District 6 (LDC)
  
4. Staff recommends motion to approve: Amendment No. 1 to the continuing contract with Robling Architecture Construction, Inc., (R2020-1690) establishing a Guaranteed Maximum Price in the amount of \$548,789 for construction management (CM) services for the Palm Beach Sheriff Office (PBSO) Bomb Squad Improvements project for a period of 132 calendar days from notice to proceed or until the project is complete. **SUMMARY:** On November 17, 2020, the Board of County Commissioners approved the continuing CM contract with Robling Architecture Construction, Inc. for construction management services for capital projects under \$4,000,000. Amendment No. 1 authorizes exterior and interior painting, reroofing, installation of new exterior doors, construction of new restroom facilities and related heating ventilation and air conditioning, plumbing, electrical and fire alarm improvements. The existing facility is more than 28 years old and many of the systems and equipment original to the building are at the end of its useful life and require replacement, modifications or repairs. The facility is also not equipped with a restroom, since it was not required for its original intended use. The work authorized under Amendment No. 1 is required to improve the facility in order to allow the PBSO bomb squad staff to properly utilize the space. This continuing construction management contract was presented to the Goal Setting Committee on December 4, 2019, and the Committee established Affirmative Procurement Initiatives of a small business enterprise (SBE) evaluation preference of 10 points for the selection of the construction manager and a mandatory 20% SBE subcontracting goal on the contract. SBE participation for this amendment is 42.71%. To date, the overall SBE participation for the contract is 42.71%. Robling Architecture Construction, Inc. is an SBE and a Palm Beach County business. This amendment will be funded from the Public Building Improvement fund. (Capital Improvements Division) District 2 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. 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>
Lea Machine Fire and Security LLC	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 24 already prequalified contractors for a total of 25 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 25 have pre-qualified) and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least ten days before the bid due date. The 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 26.15%. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. Staff recommends motion to approve:

**A)** an annual contract with Bradley Heating & Air Conditioning, Inc. (Bradley), a Palm Beach County Small Business Enterprise (SBE), for heating, ventilation and air conditioning (HVAC) services on an as-needed basis through January 6, 2025; and

**B)** an increase in the maximum dollar value of the annual HVAC services contracts by \$3,000,000 to provide services related to system and component installations, upgrades, replacements, modifications and repairs to County properties on an as-needed basis through January 6, 2025.

<u>Contractor</u>	<u>Resolution #</u>	<u>Status</u>
<b>A)</b> Cedars Electro-Mechanical, Inc.	R2020-0019	Local/SBE
<b>B)</b> Farmer & Irwin Corp.	R2020-0020	Local/Non-SBE
<b>C)</b> Florida Mechanical LLC	R2020-0021	Local/Non-SBE
<b>D)</b> Precision Air System, Inc.	R2020-0022	Local/Non-SBE
<b>E)</b> Thermo Air, Inc.	R2020-0023	Non- Local/Non-SBE
<b>F)</b> Air Mechanical & Service Corp.	R2020-0229	Non-Local/Non-SBE
<b>G)</b> Commercial Cooling Concepts, Inc.	R2020-0230	Local/SBE
<b>H)</b> D.A.C. Air Conditioning Corp.	R2020-0231	Non-Local/Non-SBE
<b>I)</b> E. C. Stokes Mechanical Contractor, Inc.	R2020-0232	Local/Non-SBE
<b>J)</b> Koldaire Inc.	R2020-0233	Non-Local/Non-SBE
<b>K)</b> Quantum Mechanical, LLC	R2020-0234	Local/SBE
<b>L)</b> Sailfish Mechanical LLC	R2020-0235	Local/Non-SBE
<b>M)</b> The Airtex Corporation	R2020-0236	Local/SBE
<b>N)</b> Thermal Concepts, Inc.	R2020-0237	Non-Local/Non-SBE

**SUMMARY:** On January 7, 2020, the Board of County Commissioners initially approved the annual HVAC contract for a five year term. The contractor, Bradley, now joins the list of 14 already prequalified contractors for a total of 15 prequalified contractors with a contract expiration date of January 6, 2025. The specific requirements of the work shall be determined by individual work orders issued against this annual contract. During the initial year of the contract, the County awarded \$4,205,511.34 in work orders. Staff is requesting the cumulative limit be increased by \$3,000,000 for a total cumulative value of \$8,000,000 in order to accommodate additional anticipated new projects required to be accomplished before the term of this contract expires on January 6, 2025. Work is to be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract before the term ends. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors (currently 15 have pre-qualified) and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least ten days before the bid due date. The HVAC annual contract was last presented to the Goal Setting Committee on March 4, 2020, and the Committee established Affirmative Procurement Initiatives of sheltered market for projects under \$100,000 (when three or more small businesses are qualified under the annual contract) or a SBE contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for each work order issued. Current cumulative S/M/WBE participation for all work orders to-date under the HVAC annual is 36.66%. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. Staff recommends motion to approve: a contract with Musco Sports Lighting, LLC (Musco) to furnish the following: a) Light-Emitting Diode (LED) sports field lighting systems for 103 sports fields and courts (facilities) at eight parks managed by the Parks and Recreation Department (Parks) in the amount of \$2,134,566 (Base Scope of Work) for a period of five years or until the project is complete; b) LED sports field lighting systems for additional fields as requested and as identified by Parks in an amount not to exceed \$500,000 and c) additional LED sports field lighting systems as requested and as identified by Parks for the Base Statement of Work in an amount not to exceed \$100,000. **SUMMARY:** In order to achieve the County's energy reduction objectives, reduce replacement/maintenance costs, and standardize equipment across all facilities, a request for proposals was issued to furnish new LED lighting systems at eight parks managed by the Parks and Recreation Department. The existing lighting systems at these facilities are older inefficient metal halide-type lighting systems that are in need of replacement. The Base Scope of Work includes the procurement and delivery of all materials, equipment and fixtures to re-lamp the existing poles and wall-mounted lighting systems, including the cross arms and mounting/support brackets for 103 sports fields and courts identified at eight parks. Additionally, Musco will provide light level compositions, grid and illumination layouts, training, long-term monitoring and warranty services. As part of its price proposal, Musco submitted unit prices for additional fixtures, equipment and components, which will serve as the basis for calculating the cost of adding facilities or equipment to the Base Scope of Work. Under this contract, the County reserves the right to include additional LED lighting systems at the eight parks referenced in the Base Scope of Work not to exceed a cumulative total of \$100,000 over the base contract price. At the option of the County, lighting for additional parks may be added to the project scope not to exceed \$500,000. The installation of the LED lighting systems furnished under this contract will be authorized under the County's annual sports field lighting installation contract by work orders issued to the prequalified contractor that submits the lowest responsive and responsible bid for each installation project. This contract is for a term of five years and shall continue until the completion of all phases of the project. All new lighting systems will include a 25-year warranty. Musco is a national business. The contract was solicited pursuant to the requirements of the Equal Business Opportunity Ordinance. On July 1, 2020, the Goal Setting Committee applied an Affirmative Procurement Initiative of Small Business Enterprise (SBE) evaluation preference for subcontracting participation. The contractor is not an SBE. The contractor committed to 4.4% SBE participation. **Funding for this contract is from Infrastructure Sales Tax fund.** (Capital Improvements Division) Countywide (LDC)



3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

8. Staff recommends motion to approve: Amendment No. 7 to the continuing contract with Lebolo Construction Management, Inc. (R0218-1161) in the amount of \$350,766.52 for the Lantana Health Center Chiller Replacement project establishing a Guaranteed Maximum Price for construction management services for a period of 160 calendar days from notice to proceed or until project is complete. **SUMMARY:** On August 14, 2018, the Board of County Commissioners approved the continuing CM contract with Lebolo Construction Management, Inc., for construction management services for federally funded capital projects under \$2,000,000 (effective July 1, 2020, this limit increased to \$4,000,000 due to changes in the Florida Statutes). The existing chiller located at the Lantana Health Center is more than 12 years old, is experiencing on-going maintenance issues, and has reached the end of its useful life; amendment No. 7 authorizes its replacement. The work was competitively solicited by Lebolo Construction Management, Inc. utilizing the federal requirements provided by the Department of Housing and Economic Sustainability (DHES). Under the federal requirements, this project has a 22.4% minority and 6.9% female participation goal established. After good faith efforts, Lebolo Construction Management, Inc. will provide 5.41% minority and 16.54% female participation for this amendment. Under the federal requirements the goals are not mandatory, provided the contractor exercised good faith efforts. Lebolo Construction Management, Inc. is a Palm Beach County business with its main office located in Boynton Beach. The funding source for this project is from the Housing and Urban Development Community Development Block Grant fund. (Capital Improvements Division) District 7 (LDC)

I. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to receive and file: the 2020 Crime Statistics Report for the Palm Beach County Urban High-Crime Job Tax Credit (UJTC) Program and the UJTC Re-ranking Status Letter/Program. **SUMMARY:** Palm Beach County has participated in the UJTC Program since 1999. The County is required by the Florida Legislature to triennially prepare and submit the Crime Statistics Report to the State for review. The UJTC Program is an incentive for eligible businesses located within one of the 13 State designated urban high-crime areas to create new jobs. The Department of Housing & Economic Sustainability coordinated with the Sheriff's Office, Delray Police Department, Riviera Beach Police Department and West Palm Beach Police Department to finalize the statistics for the 2019 report. The 2020 Crime Statistics Report was executed on August 3, 2020 by the County Administrator under authority delegated by Agenda Item 3I-A of March 10, 2015, and was provided to the Florida Department of Economic Opportunity (DEO). The report includes the crime volume and number of arrests that took place for various crimes within the UJTC area during the 2019 calendar year. Upon review of the 2020 Crime Statistics Report, due to a reduction in crime the State again ranked the County UJTC a Tier 2, allowing eligible businesses to receive State tax credits of \$1,000 per qualified job. The ranking of the UJTC is prioritized based on the following criteria: highest arrest rates within the geographic area for violent crime and for such other crimes as drug sales, drug possession, prostitution, vandalism, and civil disturbances; highest reported crime volume and rate of specific property crimes such as business and residential burglary, motor vehicle theft, and vandalism; highest percentage of reported index crimes that are violent in nature; highest overall index crime volume for the area; and highest overall index crime rate for the geographic area. This ranking will become effective on January 1, 2021, and will remain in effect until December 31, 2023. Districts 2 & 7 (DB)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. [Staff recommends motion to approve:](#) reappointment of two members to the Zoning Commission (Board), for the term from February 3, 2021 to February 6, 2024.

<u>Appoint</u>	<u>Seat #</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Mark Beatty	8	Architect	PBC American Institute of Architects
Jess Sowards	9	Architect	PBC American Institute of Architects

**SUMMARY:** The Board was established pursuant to the Palm Beach County Zoning Code, Ordinance No. 73-2 and is currently codified in Article .2, Chapter G, Section 3.L. of the Unified Land Development Code (ULDC). The Board is comprised of nine members appointed by the Board of County Commissioners (BCC). The term of office for Board members is three years, with a limit of three consecutive three-year terms. Seven members shall be appointed by the BCC, one from each Commissioner as a district appointment. Two members shall be appointed by a majority vote of the BCC. These shall be architects registered in the State of Florida and nominated by the Palm Beach County Chapter of The American Institute of Architects (AIA). These appointments are consistent with the ULDC requirements, Article 2.G.3.L, Zoning Commission. The Board consists of nine members, with eight seats currently filled, one seat vacant, and a diversity count of Caucasian: 6 (75%) and African-American: 2 (25%). The gender ratio (male: female) is 6:2. Mr. Beatty and Mr. Sowards are both Caucasian males. Staff is addressing the need to increase diversity within our boards and will continue to encourage expansion of this Board's diversity. Mr. Mark Beatty has disclosed that he has an ownership position in Architecture Green LLC, that contracts with the County for architectural services. Mr. Jess Sowards has also disclosed that he has an ownership position in Currie Sowards Aguila Architects, that contracts with the County for architectural services. The Zoning Commission provides no regulation, oversight, management or policy-setting recommendations regarding the subject contracts. Disclosure of these contractual relationships at a duly noticed public meeting is being provided in accordance with the provisions of Sec. 2-443, of the Palm Beach County Code of Ethics. Unincorporated (RB)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING (Cont'd)

2. Staff recommends motion to approve: appointment of two members and reappointment of four members to the Land Development Regulation Advisory Board (LDRAB), for the term from February 3, 2021 to February 6, 2024.

<u>Appoint</u>	<u>Seat #</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Donald Barnes	8	Residential Builder	Gold Coast Builders Association
Lucille Malacouti	11	Architect	PBC American Institute of Architects
<u>Reappoint</u>			
Anna Yeskey	9	Municipal Representative	Palm Beach County League of Cities
Frank Gulisano	13	Realtor	Realtors Association of the Palm Beaches
Wesley Blackman	16	AICP Planner	Palm Beach County Planning Congress
Abraham Wien	18	Alternate (At-Large)	Vice-Mayor Robert S. Weinroth, Comm. Bernard Comm. McKinlay

**SUMMARY:** Land Development Regulation Advisory Board (LDRAB) was established by Ordinance 2003-067, as amended by Ord. 2010-022, Ord. 2014-001, and, Ord. 2015-006, and codified in Article 2.G, Decision Making Bodies of the Unified Land Development Code (ULDC). LDRAB serves as the Land Development Regulation Commission (LDRC) as provided by Section 163.3164(22), Florida Statutes and Section 163.3194, Florida Statutes. The LDRAB is comprised of 18 members. The term of office for Board members is three years, with a limit of three consecutive three-year terms. Nine of the members shall be appointed by a majority of the Board of County Commissioners (BCC) upon a recommendation by the following organizations: Gold Coast Builders Association, League of Cities, Florida Engineering Society, American Institute of Architects, Environmental Organization, Realtors Association of the Palm Beaches, Florida Surveying and Mapping Society, Associated General Contractors of America and The Palm Beach County Planning Congress. Seven members will be appointed by the BCC; one from each commissioner as a district appointment, with consideration of expertise stated in Article 2. G.3.A.3.b. The BCC shall also appoint two at-large alternate members, by a majority vote of the BCC, with consideration of the expertise noted above. The LDRAB consists of 18 members, all seats currently filled and a diversity count of Caucasian: 14 (78%), African-American: 1 (5%), Hispanic-American: 2 (12%), Undisclosed: 1 (5%). The gender ratio (male: female) is 14:4. Mr. Barnes, Gulisano, and Blackman are Caucasian males. Mrs. Yeskey is Caucasian female. Mrs. Malacouti is Hispanic-American female; and Mr. Wien is Hispanic-American male. Staff is addressing the need to increase diversity within our boards and will continue to encourage expansion of this Board's diversity. Unincorporated (SS)

K. WATER UTILITIES

1. Staff recommends motion to receive and file: an executed Standard Potable Water and Wastewater Development Agreement with SFD Boynton LLC and Pebb Boynton, LLC, SDA #05-01128-000 (District 5), Recorded in OR BK 31781 PG 1490. **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants/ procurement items must be submitted by the initiating Department as a receive and file agenda item and are attached unless the documents have been recorded in the Public Records of Palm Beach County. The documents have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Palm Beach County Water Utilities Department in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the BCC to receive and file. District 5 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. Staff recommends motion to approve:

**A)** a budget amendment of \$61,803,300 in the \$59M Water and Sewer Revenue Refunding Bonds, Series 2020 debt service fund to budget bond proceeds, a transfer from the Water and Sewer Revenue fund, refunding bond loss, costs of issuance, payment to refunding bond escrow agent, paying agent fees, principal expense, and interest expense;

**B)** a budget amendment of \$1,967,600 in the Water and Sewer Revenue Refunding Bond, Series 2013 debt service fund to decrease the interest payment and decrease the transfer from the Water and Sewer Revenue fund;

**C)** a budget transfer of \$2,428,300 in the Water and Sewer Revenue fund to decrease the transfer to the Water and Sewer Revenue Refunding Bond, Series 2013 debt service fund, decrease the transfer to the Water and Sewer Capital Improvement Fund, and increase the transfer to the \$59M Water and Sewer Revenue Refunding Bonds, Series 2020 debt service fund; and

**D)** a budget amendment of \$460,700 in the Water Utilities Capital Improvement Fund to decrease transfer from the Water and Sewer Revenue Fund and decrease reserves.

**SUMMARY:** On September 15, 2020, the Board of County Commissioners authorized the issuance of the Water and Sewer Series 2020 Revenue Refunding Bonds for a partial advanced taxable refunding of the Water and Sewer Revenue Bonds, Series 2013 through a competitive sale as recommended by the County Financing Committee and the County's Financial Advisors. Through a competitive negotiated bid process, the County awarded the sale to Wells Fargo Bank NA. The refunding resulted in a Net Present Value savings of \$7.7 million (15.02%) in debt service over the life of the bonds. Countywide (MJ)

3. Staff recommends motion to approve: a Pipeline Wet Tapping and Line Stops Continuing Construction Contract (Contract) with Rangeline Tapping Services, Inc., (Contractor) for a three year term in the amount of \$5,888,088.75. **SUMMARY:** On July 29, 2020, the Palm Beach County Water Utilities Department (PBCWUD) received one bid for the Contract. The Contractor was determined to be the lowest responsive and responsible bidder. The Contract will be used to expedite utility capital improvement projects, facilitate the completion of much needed rehabilitation work and reduce response time for corrective action/repairs for any necessary emergency pipe repair projects throughout PBCWUD's service area where timing is critical. The Contract award is for the unit bid prices received and the overall bid dollar amount of \$5,888,088.75 was utilized to establish the unit prices for work to be undertaken under the Contract. The Contract does not guarantee or authorize Contractor to perform any work. Work will be assigned during a three year period by work authorizations (WA) drawn against the Contract, subject to approval pursuant to the requirements of PPM CW-F-050. The unit prices contained in the Contract will be used to determine the amount of each WA. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On April 15, 2020, the Goal Setting Committee applied an Affirmative Procurement Initiative (API) of a Small Business Enterprise (SBE) Price Preference. The Contractor has met the established API for this Contract. The Contract provides for 100% SBE participation. The Contractor is a Palm Beach County based Company. (PBCWUD Project No. 20-020). Countywide (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

4. Staff recommends motion to approve:

**A)** a contract with TLC Diversified, Inc. (TLC) for the Lift Station Rehabilitation Project Bid Package 2 (Project) in the amount of \$6,922,400 and

**B)** Amendment No. 3 for Consulting/Professional Services for the Lift Station Rehabilitation Project B Contract with Mock, Roos & Associates, Inc. (Consultant) to increase the not to exceed amount by \$360,842.16 to \$2,405,968.51.

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

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

**A) adopt** a Resolution of the Board of County Commissioners of Palm Beach County, Florida approving District Four Maintenance Memorandum of Agreement (MMOA) 2020-C-496-00006 with the State of Florida Department of Transportation (FDOT) for the construction and maintenance of a steel casing under State Road A1A at Ocean Inlet Park (Project) within the FDOT right of way in FY2021; and

**B) approve** the MMOA with the FDOT for the Project.

**SUMMARY:** The County seeks to install a 115 foot long, 30 inch diameter steel casing under State Road A1A for use as a pipeline corridor during inlet management dredging activities at the South Lake Worth Inlet. Routing discharge pipe through the proposed Project will reduce access and safety conflicts with the public and shorten the length of dredge pipe needed during disposal of beach compatible material. The MMOA for this Project will obligate the County to repair, restore, and generally maintain certain elements of the Project installed and constructed within the FDOT right of way under a separate FDOT Construction Agreement (Permit No. 2020-C-496-00006). The MMOA is required prior to the FDOT executing the FDOT Construction Agreement. District 4 (YBH)

2. Staff recommends motion to approve:

**A) Amendment No. 1 to the Palm Beach County Artificial Reef and Breakwater Annual Contract, Project No. 2018ERM03 (R2019-0225) with Coston Marine Services, Inc. (Coston) to extend the Construction Contract for one year to February 4, 2022; and**

**B) Amendment No. 1 to the Palm Beach County Artificial Reef and Breakwater Annual Contract, Project No. 2018ERM03 (R2019-0226) with McCulley Marine Services, Inc. (McCulley) to extend the Construction Contract for one year to February 4, 2022.**

**SUMMARY:** On February 5, 2019, the Board of County Commissioners (BCC) approved two annual construction contracts for Palm Beach County Artificial Reef and Breakwater Annual Contract, Project No. 2018ERM03 with Coston (Contractor A) (R2019-0225), a Palm Beach County (County) Small Business Enterprise (SBE) Company, and McCulley (Contractor B) (R2019-0226), a St. Lucie County Company. Coston has been issued one work order totaling \$169,200. McCulley has been issued three work orders totaling \$684,155.72. Amendment No. 1 for the Coston contract will extend the expiration date of the contract for one year, from February 4, 2021 to February 4, 2022. Amendment No. 1 for the McCulley contract will extend the expiration date of the Contract for one year, from February 4, 2021 to February 4, 2022. The contract period may be extended for a defined period of time, not to exceed 36 months total contract time, upon approval by the Contractor and the BCC. Coston's contract was designated Primary and McCulley's was secondary based on the bid ranking at contract award. At the time the contracts were solicited, the SBE Ordinance (R2002-0064) was in effect, with award recommendation taking place on October 17, 2018. The SBE participation goal established by the SBE Ordinance is 15% overall. Coston committed to an overall 20.0% SBE participation in the contract and has achieved 100% SBE participation to-date. McCulley committed to an overall 15.5% SBE participation in the contract and has achieved 2.67% SBE participation to-date. McCulley has only been contracted to transport by marine barge and deploy artificial reef material, therefore they have had limited opportunities for SBE participation due to less trucking services needed by the County. McCulley may not meet their overall SBE goal of 15.5% as stated in their three-year contract. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to approve: a budget transfer of \$49,481 in Park Improvement Fund from the Payment in Lieu of Recreation reserve to the Haverhill Park Parking Lot Expansion project. **SUMMARY:** This budget transfer establishes funding for the Haverhill Park Parking Lot Expansion project from reserves generated pursuant to the County's Unified Land Development Code (ULDC) Article 5, Parks and Recreation – Rules and Recreation Standards. Article 5 revenues originate from cash-outs from residential developments that are unable to provide homeowners on-site recreation areas. Revenues from this fund are to be used for the purpose of acquiring and/or developing land necessary to meet the need for neighborhood or community type recreational facilities created by the development. This funding will be used for the construction of 15 new car parking spaces at Haverhill Park to satisfy increased parking demand from the recent construction of two basketball courts. Funding for this project is from the \$7,732 Payment in Lieu of Recreation payment received from the Wilson Estates development and \$41,749 from the Grandview Palm development. This project meets the requirements of ULDC Article 5. District 2 (AH)
  
2. Staff recommends motion to receive and file: the following executed Independent Contractor Agreements:
  - A) Stephen VanCoppennolle, Water Exercise at North County Aquatic Complex, for the period of November 1, 2020 to September 30, 2021 in an amount not to exceed \$4,500;
  
  - B) Mary Lou Putnam, Water Exercise at North County Aquatic Complex, for the period of November 1, 2020 through September 30, 2021 in an amount not to exceed \$21,000; and
  
  - C) First Amendment with Coralytes LLC, US Synchronized Swimming Program, Aqua Crest Pool, to transfer all rights and obligations under the agreement from Caroline Ann Karolinko to Coralytes LLC, for the period October 1, 2020 through September 30, 2021 in an amount not to exceed \$32,000.

**SUMMARY:** These Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (BCC) by the County Administrator and Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, 2012-0168 and 2017-0822. The Department is now submitting these agreements in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating department to the BCC as a receive and file agenda item. Districts 1 & 7 (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to:

**A) approve** a contract for the provision of services with The Lord's Place, Inc. for the period retroactive to October 1, 2020 through September 30, 2021 in an amount not to exceed \$272,350 to continue the PalmFUSE (Frequent Users Systems Engagement) Program as part of the John D. and Catherine T. MacArthur Foundation Safety and Justice Challenge;

**B) receive and file** a no cost time extension authorization reflecting an extension of the Safety and Justice Challenge grant (R2017-1709) to September 30, 2021;

**C) receive and file** a no cost time extension authorization reflecting an extension of the supplemental Safety and Justice Challenge grant (R2019-0452) to September 30, 2021; and

**D) authorize** the County Administrator or designee to execute any amendments relating to The Lord's Place contract on behalf of the Board of County Commissioners after approval of legal sufficiency by the County Attorney's Office, and within budget allocations.

**SUMMARY:** Palm Beach County was awarded \$2,000,000 from the John D. and Catherine T. MacArthur Foundation (Foundation) on October 2, 2017 for two years as an implementation site in the Foundation's Safety and Justice Challenge. The Foundation granted an initial extension until September 30, 2020 (R2020-0485). The Foundation awarded Palm Beach County a \$75,000 supplemental grant on December 20, 2018. The Foundation agreed to an extension of both grants until September 30, 2021. The implementation grant will fund the \$272,350 for housing and case management services. PalmFUSE is one of the strategies developed to reduce jail population by identifying individuals admitted to the jail three or more times in two years who also access homeless and behavioral health services in the County. These individuals are the highest utilizers of services in these systems with repeated assessments, use of jail beds, and medical and behavioral health crisis services, resulting in high costs from the cycling through these systems with no clear path for ending their cycles. From December 2018 through February 2020, Palm Beach County had 117 individuals admitted to the jail three times or more who also accessed homeless and behavioral health services within the County. These individuals used 6,412 jail bed days costing \$865,620 (bed days x \$135 per day). PalmFUSE seeks to stabilize such individuals in rapid rehousing with wrap-around services. Funds will be used for housing and case management services. The CJC contracted with The Lord's Place Inc. and Gulfstream Goodwill Industries from July 2, 2019 through September 30, 2020 in the amount of \$313,257 to implement the PalmFUSE pilot program (R2019-0972; R2019-0973) which successfully housed twelve previously homeless individuals. No County matching funds are required. Countywide (JW)



3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to receive and file: one fully executed License Agreement for Training at the Palm Beach County Fire Rescue Regional Training Center with the City of West Palm Beach, for the City's use of the training center, for the period November 30, 2020 through November 29, 2025. **SUMMARY:** On July 22, 2014, the Board adopted Resolution No. R2014-1065, which authorized the County Administrator or designee (Fire Rescue Administrator) to execute a standard license agreement for up to a five year term, with outside fire rescue/public safety agencies and other authorized entities, providing them with access to the Regional Training Center to conduct training activities and events for public safety personnel. The licensee is responsible for the payment of applicable user fees. Pursuant to Countywide PPM CW-O-051, one fully executed License Agreement is being submitted as a receive and file agenda item for the Clerk's Office to note and receive. Countywide (SB)
2. Staff recommends motion to receive and file: a License Agreement Relating to Fire Rescue Training and Structure Burn with South Florida Fair and Palm Beach County Expositions, Inc. for the period November 20, 2020 through December 4, 2020. **SUMMARY:** On February 5, 2013, the Board adopted Resolution No. R2013-0175 authorizing the County Administrator or designee (the Fire Rescue Administrator) to execute standard agreements with property owners relating to fire rescue training, including live structure burns. This License Agreement grants Palm Beach County Fire Rescue the authority to conduct fire rescue training exercises on the property identified in the agreement. This standard License Agreement has been fully executed by the Fire Rescue Administrator and the property owner, and is now being submitted to the Board as a receive and file agenda item in accordance with Countywide PPM CW-O-051 for the Clerk's Office to receive and file. Countywide (SB)
3. Staff recommends motion to adopt: a resolution authorizing the County Administrator or designee to execute standard agreements with municipalities and other independent contractors to provide swimming lessons to members of the public through the Palm Beach County Drowning Prevention Coalition's Learn to Swim Program; providing an effective date; providing for repeal of Resolution 2005-1906. **SUMMARY:** The Palm Beach County Drowning Prevention Coalition Learn to Swim Program distributes vouchers to the public, which may be redeemed for swimming lessons at designated aquatic facilities within Palm Beach County. This resolution delegates authority to the County Administrator or designee to enter into standardized agreements with municipalities and other independent contractors to provide swimming lessons for a term not to exceed three years. Each swim class must consist of at least three hours of lessons, and providers are reimbursed their usual and customary fee per swim class up to \$60. Countywide (SB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to receive and file: the following amendments to Contracts/Interlocal Agreement for Adult and Youth Reentry Services:

**A)** fifth amendment to Contract R2019-1568 The Lord's Place, Inc. (TLP);

**B)** third amendment to Contract R2019-1569 Gulfstream Goodwill Industries, Inc. (GGI);

**C)** third amendment to Interlocal Agreement R2019-1570 The City of Riviera Beach Reentry Center (RB); and

**D)** third amendment to Contract R2019-1571 (GGI – Youth Reentry)

**SUMMARY:** Palm Beach County Division of Justice Services subcontracts with three reentry providers to coordinate Adult and Youth Reentry Services to those returning to Palm Beach County from incarceration. The third amendment to GGI and RB adds compensation for Post-Release Basic Technology and Financial Assistance as an allowable expense. Furthermore, based on funding needs and to ensure utilization of grant funding, it is necessary to amend the agency contracts/interlocal agreement to make budget adjustments prior to year-end. The fifth amendment to the TLP contract modifies the budget, increasing the total allocation from \$420,248 to \$437,498. The third amendment to the GGI contract modifies the budget, increasing the total allocation from \$255,041 to \$262,331. The third amendment to the RB interlocal agreement modifies the budget, increasing the total allocation from \$259,108 to \$264,858. The third amendment to the GGI – Youth Reentry contract modifies the budget, decreasing the total allocation from \$391,952 to \$384,662. Due to a refund from the prior fiscal year expenditures from RB, \$23,000 was available to reallocate to the reentry service providers. All adjustments are within approved line items. These contract amendments are retroactive to July 1, 2020. Countywide (SF)

2. Staff recommends motion to:

**A) approve** an Interlocal Agreement with the City of Riviera Beach (RB) to provide Adult Reentry Services for the period retroactive to October 1, 2020 through September 30, 2021 in the amount of \$321,069; and

**B) authorize** the County Administrator or designee to execute amendments and administrative documents associated with the above interlocal agreement, on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations.

**SUMMARY:** Palm Beach County Division of Justice Services contracts with providers to coordinate Adult and Youth Reentry Services to those returning to Palm Beach County from incarceration. Contracts were awarded through a competitive process and will ensure that the County will continue to meet the needs of those returning from incarceration. Reentry services are customized to each individual's unique needs, and include outreach services, case management, risk and needs assessments, transitional housing, employment assistance, transportation assistance and substance abuse and mental health treatment. This interlocal agreement is funded through ad valorem funds, Justice Assistance Grant funding from the Department of Justice, and a legislative allocation from the State of Florida, Department of Corrections (FDC). Palm Beach County is the recipient of funding from state and federal levels, the providers are sub-recipients receiving a sub-award. The delay in requesting an approval for this interlocal agreement is due to finalizing the FDC Purchase Order and approval by RB. Countywide (SF)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. Staff recommends motion to receive and file: amendments to Contracts/Interlocal Agreement for the Second Chance Act Innovations in Reentry Initiative:

**A)** third amendment to Contract #R2018-0935 The Lord's Place, Inc. (TLP);

**B)** third amendment to Contract #R2018-0936 Gulfstream Goodwill Industries, Inc. (GGI);

**C)** third amendment to Interlocal Agreement #R2018-0937 the City of Riviera Beach Reentry Center (RB); and

**D)** second amendment to Contract #R2018-0938 Florida Atlantic University (FAU).

**SUMMARY:** Palm Beach County was awarded an Innovations in Reentry Initiative grant on September 19, 2017 from the Department of Justice for \$850,000 (Award # 2017-CZ-BX-0003) from October 1, 2017 through September 30, 2020. On May 5, 2020, a no cost time extension was approved through September 30, 2021. On May 16, 2017, the Board of County Commissioners authorized the County Administrator or designee to execute amendments and administrative documents associated with these contracts on behalf of the Board of County Commissioners after approval of legal sufficiency by the County Attorney's Office and within budgeted allocations. The third amendment to TLP, GGI, and RB contracts/interlocal agreement and the second amendment to FAU contract extends the date to use grant funds and complete all services from September 30, 2020 to September 30, 2021. Countywide (SF)

4. Staff recommends a motion to:

**A) receive and file** an executed State-Funded Grant Agreement for Hazardous Materials Planning and Prevention Program (T0093) with the State of Florida, Division of Emergency Management (FDEM) for the period of July 1, 2020 through June 30, 2021, in the amount of \$19,994; and

**B) approve** a budget amendment of \$17,659 in the Emergency Management Grant Fund to adjust the budget to the actual grant award.

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

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

5. 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 October 8, 2020;
- B) Declaration of Continuing State of Emergency PBC, FL, dated October 15, 2020;
- C) EO Number 29 (2020-029), extension of facial coverings directive, dated October 21, 2020;
- D) Declaration of Continuing State of Emergency PBC, FL, dated October 22, 2020; and
- E) Declaration of Continuing State of Emergency PBC, FL, dated October 28, 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)

6. Staff recommends motion to receive and file: Modification #2 to Federally-funded Subgrant Agreement (G0059) with the State of Florida, Division of Emergency Management in the amount of \$276,066 for the FY2019-20 Emergency Management Performance Grant (EMPG) extending the grant period from September 30, 2020 through December 30, 2020. **SUMMARY:** Palm Beach County along with all political subdivisions are currently responding to COVID-19 to ensure the safety of its citizens. Because of this response, an extension was requested to allow time to spend the funds efficiently. The EMPG grant (CFDA #97.042) is federally funded and reoccurs annually. These funds are used to enhance and improve emergency management plans and programs and provide operational support. The grant will be used to further enhance emergency planning, response, mitigation and recovery in the County. R2012-1731 dated November 20, 2012, gave authority to the County Administrator, or designee, to execute these agreements on behalf of the Board of County Commissioners. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

7. Staff recommends motion to:

**A) receive and file** an executed contract agreement with Florida Commission on Community Service dba Volunteer Florida serving as the administrative agency for the FY 2020-21 Federal Emergency Management Performance Grant Program for the period retroactive to August 31, 2020 through May 31, 2021, in the amount of \$10,000 for Community Emergency Response Team (CERT) associated supplies; and

**B) approve** a budget amendment of \$10,000 in the Emergency Management Fund to recognize grant funding.

**SUMMARY:** This is an annual grant (CFDA # 97.042) from Volunteer Florida that will be used for CERT program activities including purchase of personal protective supplies and volunteer training equipment. This contract was received on September 22, 2020, hence the delay in requesting approval to fund this program. In-kind donation of volunteer hours will be used to fulfill the matching requirement of \$10,000 for the Volunteer Florida grant. Countywide (LDC)

8. Staff recommends motion to receive and file: Declaration of State of Local Emergency Palm Beach County, FL for Tropical Storm Eta, dated November 8, 2020. **SUMMARY:** Beginning November 8, 2020 at 9:00 a.m., Palm Beach County declared a State of Local Emergency due to the impending arrival of Tropical Storm Eta. 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. Countywide (LDC)

9. Staff recommends motion to receive and file: Emergency Contract for Non-Congregate Shelter Services with Hotel 1 related to Coronavirus (COVID-19) for the period of October 30, 2020 through January 31, 2021. **SUMMARY:** On March 13, 2020, the President declared the ongoing COVID-19 pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the Stafford Act). Emergency declaration designated "FEMA-4468-DR-FL" for State, territorial, tribal, and local government entities and certain private non-profit organizations that are eligible to apply for Public Assistance (PA). Public Assistance is a federal grant to aid state and local governments in returning a disaster area to pre-disaster conditions. On March 31, 2020, the County requested approval from FEMA through the State of Florida Division of Emergency Management non-congregate sheltering and support services. On April 6, 2020, the County was granted approval from FEMA to conduct emergency non-congregate sheltering activities under the PA program. As part of the PA program, FEMA will typically fund 75% of the cost. FEMA funding will be calculated on actual expenditures incurred and be received from the State of Florida, Division of Emergency Management, on a reimbursement basis. The State of Florida will contribute 12.5% of the qualifying actual expenditures leaving the County responsible for absorbing the remaining 12.5%. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

CC. INTERNAL AUDIT

1. Staff recommends motion to receive and file:

A) Final audit report recently issued by the County Internal Auditor's Office:

1) 2021-01 Public Safety Department – Emergency Management Division – *Training and Exercises Audit*

**SUMMARY:** County Code Section 2-463(e)(3) requires the County Internal Auditor to submit copies of final audit reports to the Board of County Commissioners and the Internal Audit Committee. We are submitting this report to the Board of County Commissioners as required by the County Code. Countywide (DB)

DD. SHERIFF

1. Staff recommends motion to accept: on behalf of the Palm Beach County Sheriff's Office a Grant Award for the FY2021 Statewide Criminal Analysis Laboratory System Project between the Florida Department of Law Enforcement and the Palm Beach County Sheriff's Office for the period of October 1, 2020 through September 30, 2021.

**SUMMARY:** The Florida Department of Law Enforcement (FDLE) provides state financial assistance to five locally-funded laboratories in the State of Florida, including Palm Beach County. The Palm Beach County Sheriff's Office (PBSO) operates the Palm Beach County Crime Laboratory. This grant award provides funding for personnel, equipment, training, and expenses to operate the Crime Lab. Since the total award amount is not known in advance, \$400,000 was budgeted in the Sheriff's Grant fund for FY2021. We will amend the budget after the final quarterly payment is received in September to reconcile the revenue. There is no match requirement associated with this award. Countywide (DC)

2. Staff recommends motion to receive and file: grant document from the Department of Justice (DOJ) to extend the FY 2018 DNA Capacity Enhancement and Backlog Reduction Program grant through March 31, 2021. **SUMMARY:** On December 18, 2018, the Board of County Commissioners accepted a grant award in the amount of \$312,793 (R2018-2049) for the period January 1, 2019 through December 31, 2020. DOJ approved extending the grant through March 31, 2021 to continue the services provided by the Forensic Biology Unit and meet the goal of increasing the efficiency of the crime lab. There is no match requirement associated with this award. Countywide (LDC)

3. Staff recommends motion to:

A) **receive and file** Grant Modification 1 with the Office of National Drug Control Policy (ONDCP) to provide an additional \$36,306 in grant funds for the Palm Beach County Sheriff's Office; and

B) **approve** a budget amendment of \$36,306 in the Sheriff's Grant Fund.

**SUMMARY:** The Board of County Commissioners accepted this grant award for \$149,193 on May 5, 2020 (R2020-0502). This Grant Modification #1 will provide an additional \$36,306 in grant funding to support overtime for the Palm Beach County Narcotics Task Force. There is no match requirement associated with this award. Countywide (LDC)

3. **CONSENT AGENDA APPROVAL**

DD. **SHERIFF** (Cont'd)

4. **Staff recommends motion to:**

**A) receive and file** Grant Modification #3, dated October 16, 2020, with the Office of National Drug Control Policy to provide an additional \$21,825 in grant funds for the Palm Beach County Sheriff's Office and extension approval through December 31, 2021; and

**B) approve** a budget amendment of \$21,825 in the Sheriff's Grant Fund.

**SUMMARY:** The Board of County Commissioners (BCC) accepted this grant award for \$158,606 on June 4, 2019 (R2019-0775). On December 17, 2019, the BCC accepted Grant Modification #1 in the amount of \$38,614 (R2019-1942). On June 16, 2020, the BCC accepted Grant Modification #2 in the amount of \$25,515 (R2020-0703). This Grant Modification #3 will provide an additional \$21,825 in funding to support overtime for the Palm Beach County Narcotics Task Force and to extend the grant period from December 31, 2020 through December 31, 2021. This is no match requirement associated with this award. Countywide (LDC)

EE. **OFFICE OF COMMUNITY REVITALIZATION**

1. **Staff recommends motion to:**

**A) approve** a contract with Spirit of Giving Network, Inc. (Contract) in an amount not to exceed \$100,000 for professional services to assist with planning, purchase of school supplies and other items, and implementation of the 2021 Back to School PBC! (Event) for the period beginning January 18, 2021 through November 1, 2021; and

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

**SUMMARY:** This Contract provides a not to exceed amount of \$100,000 to the Agency to assist in the implementation of the 2021 Back to School PBC! event, f.k.a. the Palm Beach County Back to School Bash (Bash). The Event provides school supplies, backpacks, food boxes, a health fair, and access to community resources to Palm Beach County students in need from Kindergarten through 12th grade enrolled in the public or charter school system. The Event is an annual initiative planned, funded and implemented by the Office of Community Revitalization (OCR) in partnership with County departments, the Agency, the Children Services Council of Palm Beach County, and a collaboration of several community based organizations and volunteers. In order to participate in the Event, students must be referred by one of the agencies of the collaborative, be registered prior to June 4, 2021 and be given a personal invitation to the Event. Participating referral agencies, municipalities, and community groups and/or organizations are required to contribute funding and/or in kind services towards the Event implementation. In accordance with the Contract, up to \$50,000 of the \$100,000 from the County may be provided in advance payments to the Agency to use as upfront capital toward the purchase of school supplies and other items required for the implementation of the Event. Countywide (HH)

3. CONSENT AGENDA APPROVAL

EE. OFFICE OF COMMUNITY REVITALIZATION (Cont'd)

2. Staff recommends motion to approve: a contract with Ms. Bonnie Hodges Leech in an amount not to exceed \$10,000 to continue the implementation of the Office of Community Revitalization's Abundant Community Initiative (ACI) in the San Castle Countywide Community Revitalization Team area. **SUMMARY:** To date, the Board of County Commissioners approved two one-year contracts with resident Ms. Hodges Leech to serve as the Neighborhood Connector in San Castle to implement the ACI. The first contract was in an amount not to exceed \$6,000 for services covering the period of October 1, 2017 through September 30, 2018, and the second contract was in an amount not to exceed \$10,000 for the period of November 20, 2018 through November 22, 2019. Ms. Hodges Leech has successfully fulfilled the terms of the executed contracts and continue to work in spite of the challenges posed by the Covid pandemic. The increased contract amount aligns with the national model, and reflects the expanded tasks and deliverables, and the labor-intensive door-to-door outreach of residents in a community with diverse cultural backgrounds. The purpose of the project is to engage and help empower residents for civic leadership so that they become the agents for positive change in the community. Staff is now requesting the BCC approve the new contract to continue implementation. The contract with Ms. Hodges Leech will commence on January 12, 2021 and expire on January 9, 2022. Funding for this project is available from the ACI account. District 7 (HH)

FF. TOURIST DEVELOPMENT COUNCIL

1. Staff recommends motion to receive and file: three fully executed Palm Beach County Agreements managed by the Palm Beach County Sports Commission, Inc. on behalf of the Palm Beach County Tourist Development Council (TDC) with:
  - A) Men's Senior Baseball League, Inc. for the promotion of the MSBL Fall Classic, which was held on November 7 – 21, 2020, for the term July 7, 2020 – February 21, 2021. This grantee was approved by the TDC on July 12, 2018 as a three-year grant approval in the amount of \$35,000 each year. This is the final year of this agreement;
  - B) American Jr. Golf Association, Inc. for the promotion of the Rolex Tournament of Champions which was held on November 23 – 28, 2020, for the term August 23, 2020 – February 28, 2021. This grantee was approved by the TDC on September 10, 2020 in the amount of \$10,000; and
  - C) Equestrian Sport Production, LLC for the promotion of the Equestrian Holiday & Horses Circuit being held from November 24, 2020 – January 1, 2021, for the term July 24, 2020 – April 1, 2021. This grantee was approved by the TDC on September 10, 2020 in the amount of \$12,500.

**SUMMARY:** On June 7, 1994, the Board of County Commissioners adopted Resolution (R94-702) authorizing the Executive Director of the TDC to enter into grant agreements with Category G (Sports) grantees after they have been approved by the Tourist Development Council. The attached agreements funded events which promoted sports tourism in Palm Beach County. Districts 1, 6, & 7 (LDC)



3. CONSENT AGENDA APPROVAL

FF. TOURIST DEVELOPMENT COUNCIL (Cont'd)

2. **Staff recommends motion to receive and file:** a fully executed Palm Beach County FY2021 Covid Recovery Grant Agreement managed by the Palm Beach County Sports Commission, Inc on behalf of the Palm Beach County Tourist Development Council with The Boca Raton Champions Golf Charities, Inc. for the promotion of Timber Tech Championship, which was held on October 26 – November 1, 2020 and produced 1083 room nights. The Tourist Development Council approved this grant of \$30,000 on September 10, 2020. The term of this agreement is June 26, 2020 – February 1, 2021. **SUMMARY:** On June 7, 1994, the Board of County Commissioners adopted Resolution (R94-702) authorizing the Executive Director of the Tourist Development Council to enter into grant agreements with Category G (Sports) grantees after they have been approved by the Tourist Development Council. The attached agreement funded an event which promoted sports tourism in Palm Beach County. District 4 (LDC)
  
3. **Staff recommends motion to receive and file:** 20 fully executed Palm Beach County FY2021 Category “B” Grant Agreements managed by the Cultural Council of Palm Beach County, Inc., d.b.a. Cultural Council for Palm Beach County on behalf of the Palm Beach County Tourist Development Council for the promotion of cultural tourism in Palm Beach County. These agreements were approved by the Tourist Development Council on September 30, 2020 and are for the term October 1, 2020 – September 30, 2021, and are funded as follows:

1) Adolf and Rose Levis Jewish Community Center, Inc.	\$ 60,261
2) Boca Raton Museum of Art, Inc.	\$153,313
3) Florida Atlantic University Foundation, Inc.	\$102,371
4) The Henry Morrison Flagler Museum, Inc.	\$155,906
5) Loggerhead Marinelife Center, Inc.	\$158,499
6) Loxahatchee River Historical Society, Inc.	\$ 83,210
7) Maltz Jupiter Theatre, Inc.	\$157,851
8) Norton Museum of Art, Inc.	\$159,471
9) Old School Square Center of the Arts, Inc.	\$121,886
10) Palm Beach Drama Works, Inc	\$128,841
11) Palm Beach Opera, Inc.	\$156,797
12) Palm Beach Photographic Centre, Inc.	\$119,928
13) Palm Beach State College	\$ 98,535
14) So. Fla. Science Center and Aquarium, Inc.	\$156,392
15) SunFest of Palm Beach County, Inc.	\$154,933
16) The Armory Art Center, Inc.	\$ 98,319
17) The Morikami, Inc.	\$129,111
18) The Raymond F. Kravis Center for the Performing Arts, Inc.	\$159,470
19) The Society of the Four Arts, Inc.	\$119,115
20) The Zoological Society of the Palm Beaches, Inc.	\$154,609
<b>Total Funding</b>	<b>\$2,628,818</b>

**SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The agreements have been fully executed on behalf of the Board of County Commissioners (BCC) by the Executive Director of the Tourist Development Council in accordance with Resolution 94-702 and are now being submitted to the BCC to receive and file. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

FF. TOURIST DEVELOPMENT COUNCIL (Cont'd)

4. Staff recommends motion to receive and file: 17 fully executed Palm Beach County FY2021 Category "CII" Grant Agreements managed by the Cultural Council of Palm Beach County, Inc., d.b.a. Cultural Council for Palm Beach County on behalf of the Palm Beach County Tourist Development Council for the promotion of cultural tourism in Palm Beach County. These agreements were approved by the Tourist Development Council on September 30, 2020 and are for the term October 1, 2020 – September 30, 2021, and are funded as follows:

1) Ann Norton Sculpture Garden, Inc.	\$29,077
2) Boca Ballet Theatre Company	\$26,683
3) Boca Raton Philharmonic Symphonia, Inc.	\$27,864
4) Center for Creative Education, Inc.	\$25,874
5) Center for the Arts at Mizner Park, Inc.	\$27,522
6) The Chamber Music Society of Palm Beach, Inc.	\$26,837
7) Spady Cultural Heritage Museum, Inc.	\$23,443
8) Friends of the Mounts Botanical Gardens, Inc.	\$28,735
9) Lighthouse ArtCenter, Inc.	\$27,056
10) Mandel Jewish Community Center of the Palm Beaches, Inc.	\$27,304
11) Palm Beach Poetry Festival, Inc.	\$17,061
12) Boca Raton Historical Society, Inc.	\$27,289
13) The Busch Wildlife Sanctuary, Inc.	\$26,434
14) The Historical Society of Palm Beach County	\$27,755
15) The Lake Worth Playhouse, Inc.	\$26,620
16) The Palm Beach Symphony Society, Inc.	\$28,362
17) Young Singers of the Palm Beaches, Inc.	\$27,802
<b>Total Funding</b>	<b>\$451,718</b>

**SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The agreements have been fully executed on behalf of the Board of County Commissioners (BCC) by the Executive Director of the Tourist Development Council in accordance with Resolution 94-702 and are now being submitted to the BCC to receive and file. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

GG. OFFICE OF EQUAL OPPORTUNITY

1. Staff recommends motion to approve: Amendment No. 1 to contract for Consulting/Professional Services with the Legal Aid Society of Palm Beach County, Inc. (R2020-0048) dated January 7, 2020 for the period January 1, 2021 through December 30, 2021 for the Wage Dispute Project which updates/adds certain contract language, including E-verify and replaces certain exhibits. **SUMMARY:** On January 7, 2020, the County and the Legal Aid Society of Palm Beach County, Inc. (Legal Aid Society) entered into a Contract (R2020-0048) for a three year period, January 7, 2020 through December 30, 2022, for a total of \$423,300 of which \$141,100 is budgeted in contract year 2021 with an anticipated annual allocation of \$141,100 in each subsequent contract year, contingent upon a budgetary appropriation by the Board of County Commissioners. The contract covers the salary and benefits of the staff attorney assigned to the Wage Dispute Project, and the support, investigative, court processing services and other actual costs of the project. In 2019, 487 individuals were provided service under the contract. For the current year, the number served to date is 127 (from January 1, 2020 through October 31, 2020). Kristina Rowe and Kimberly Rommel Enright, both employees of the Legal Aid Society, serve on the Palm Beach County HIV CARE Council (Council), which is a County Advisory Board. The Council provides no regulation, oversight, management, or policy-setting recommendations regarding the contract 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. Countywide (DO)

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JANUARY 12, 2021

**4. SPECIAL PRESENTATIONS – 9:30 A.M.**

A) United Way

B) [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 FY2022 Section 5310 grant application, in the amount of \$1,199,741 with a required match of \$133,305 for a total project cost of \$1,333,046, 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 \$1,199,741 in FDOT funds, \$133,305 in required match for a cumulative purchase price of \$1,333,046 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;

**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 \$1,333,046. 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 agreement 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 in performance of this agreement, including that of its officers, agents or employees. An exception to the PPM has been recommended by the Risk Management Department and the County Attorney's Office, taking into consideration the County's need to provide the services, the amount of the grant award, 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. PUBLIC SAFETY

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

C. OFFICE OF EQUAL OPPORTUNITY

1. Staff recommends motion to adopt: an ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code, Chapter 2, Article VI, codifying Ordinance 2017-013, the Palm Beach County Equal Employment Ordinance; providing for amending the definition of employer; providing for repeal of laws in conflict; providing for savings clause; providing for severability; providing for inclusion in the Code of Laws and Ordinances; providing for an effective date. **SUMMARY:** On December 8, 2020, the Board of County Commissioners held a preliminary reading of this ordinance and authorized advertising for public hearing. After several amendments, over the past two decades, the Palm Beach County Equal Employment Ordinance (Ordinance) was repealed and replaced in 2017 to bring it into substantial compliance with Federal and State Laws governing equal employment and the County’s policy concerning Advisory Boards such as the Equal Employment Board. Notwithstanding, the current definition of “Employer” protects employees and prospective employees, only where a person that is regularly engaged in an industry affecting commerce has 15 or more employees. Furthermore, the Ordinance “Employer” definition is inconsistent with Miami-Dade County, Broward County and the City of West Palm Beach’s “Employer” definition, which includes any person who in the regular course of business has five or more employees. Amending the definition will expand the protection against discrimination afforded to job applicants and employees in Palm Beach County. The League of Cities has no opposition to the proposed amendment to the Ordinance on the condition that the County conduct outreach regarding the proposed amendment to the small business community. County staff has coordinated with the Office of Equal Business Opportunity to conduct outreach to the small business community regarding the proposed revision. The Equal Employment Board supports the Ordinance in its proposed form. Countywide (DO)

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6. REGULAR AGENDA

A. AIRPORTS

1. Staff recommends motion to approve: a contract for Air Service Development Consulting Services (Contract) with Ailevon Pacific Aviation Consulting LLC (Ailevon), a Florida limited liability company, commencing on February 1, 2021, and expiring on January 31, 2024, with one 24-month option to renew for an amount not to exceed \$200,000 per contract year for a total not to exceed amount of \$600,000 for the initial term. **SUMMARY:** This contract provides for professional and technical consulting services on an as-needed basis in support of the air service development program for the Palm Beach International Airport (PBI). Ailevon's principal place of business is Atlanta, GA. Air service development consulting services may include, but are not limited to, air service strategy and planning, airline route study and forecasting, competitive service analysis, business case development for new/expanded air service, development of incentive programs, catchment area demographic and leakage studies and analysis of air traffic demand and airfare data. The Contract provides for a not to exceed amount of \$200,000 per contract year with an initial three-year term and an option to renew for an additional 24 months at the County's sole option. Due to lack of availability of qualified Small/Minority/Women Owned Business Enterprises providing the services required by this Contract, the Office of Equal Business Opportunity issued a waiver of Affirmative Procurement Initiatives on July 30, 2020. Pursuant to changes to Chapter 332, Florida Statutes, a governing body of a commercial service airport may not approve purchases of contractual services in excess of the Category Five threshold amount of \$325,000 established by Section 287.017, Florida Statutes, on a consent agenda. This contract exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

6. REGULAR AGENDA

A. AIRPORTS Cont'd)

2. Staff recommends motion to approve: the thirteenth amendment (Amendment) to Lease and Concession Agreement (Agreement) with Host International, Inc. (Host) (R98-1293D, as amended), providing for abatement of the Minimum Annual Guarantee (MAG) for lease year 2020 (LY2020) and a reduced MAG of \$1,050,000 for lease year 2021 (LY2021) for a total abatement of \$947,602; and authorizing the County to terminate Host's right to use concession areas during the term of the Agreement without reimbursement of Host's unamortized capital investment in the leasehold improvements. **SUMMARY:** Host operates the restaurants at the Palm Beach International Airport (PBI) pursuant to the Agreement. Host pays concession fees equal to the greater of a percentage of gross revenues (Percentage Payment), or the MAG. The MAG is adjusted annually based on 80% of the actual concession fee paid for the prior year, but never less than \$1,050,000. The majority of PBI's concession agreements provide for abatement of MAGs based on a significant decline in passenger activity; however, Host's Agreement does not have an abatement provision. The MAG for LY2020 is \$1,833,362. Host has paid \$1,302,450 as the Percentage Payment for LY2020. Due to the financial impact the COVID-19 pandemic, Host has requested a partial waiver of concession fees for LY2020 in the amount of \$530,912 and to reduce the MAG for LY2021 to \$1,050,000. The MAG for LY2021 is scheduled to be \$1,466,690 if no abatement is granted. The total abatement provided for in this Amendment is approximately \$947,602. Host will remain obligated to pay the Percentage Payment in LY2021, which may exceed the MAG. The Agreement is scheduled to expire on October 17, 2024. This Amendment changes the date to September 24, 2024, to coincide with the end of the then current lease year. The Agreement enables the County to terminate Host's right to use concession areas, subject to a limitation prohibiting the space to be used for restaurant purposes and reimbursement of Host's unamortized capital investment in the leasehold improvements, which is approximately \$1,067,174 as of January 1, 2021. In consideration of the MAG relief provided for in this Amendment, Host has agreed to waive its right to reimbursement and to eliminate the use restriction. The Department anticipates issuing solicitations for new food and beverage concessions prior to the end of the term of the Agreement to provide for a phased transition, which will ensure that a sufficient number of restaurants remain open throughout the transition period. The amended provisions will facilitate the transition. Approval of this Amendment will grant temporary relief to Host for the purpose of ensuring the continued financial viability of PBI's food and beverage concession until passenger traffic stabilizes. Countywide (AH)



6. REGULAR AGENDA

B. PARKS & RECREATION

1. Staff recommends motion to:

**A) adopt** a resolution authorizing the lease of certain real property to the Young Men's Christian Association of the Palm Beaches, Inc. a Florida not for profit corporation (YMCA), pursuant to Section 125.38, Florida Statutes; and

**B) approve** a lease agreement with the YMCA, for approximately five acres in Lake Lytal Park.

**SUMMARY:** On March 13, 2018, the Board of County Commissioners authorized staff to evaluate the potential of forming a cooperative partnership with the YMCA to relocate the existing YMCA Branch in Palm Springs to undeveloped land within Lake Lytal Park. The YMCA and County have worked collaboratively to develop a conceptual master plan (CMP) for collocation of the County's replacement Aquatic Facility with YMCA's proposed skate park, fitness facility and child care/preschool center. Under this proposal, the County would lease approximately five acres of undeveloped land in Lake Lytal Park to YMCA. The initial lease term is for 50 years with one 50 year extension option. Rent will be \$10/year. YMCA shall reimburse the County up to 50% of the cost of design and permitting of infrastructure improvements, not to exceed \$75,000. Each party shall construct its respective facilities and infrastructure improvements at its own expense. The YMCA will construct their facilities in three phases. Phase I includes an Olympic Style Skate Park Training Facility and associated site improvements and infrastructure. Phase II includes a new 45,000 square foot community center/health and fitness facility and associated site improvements and infrastructure. Phase III includes a 10,000 square foot child care center/preschool and associated site improvements and infrastructure. The lease agreement requires the YMCA to commence construction of Phase I within three years, Phase II within six years and Phase III within ten years. The lease includes a Fundraising Schedule that obligates the YMCA to raise \$7,500,000 by November 30, 2023; \$16,500,000 by November 30, 2026; and \$21,500,000 by November 30, 2030. Either party shall have the right to terminate in the event the fundraising milestones are not met. The lease agreement also requires the YMCA and County to enter into an Operations Agreement for the staffing, programming and operational management of the Aquatics Facility within 24 months after the County's completion of construction of the Aquatics Facility. This operations agreement is projected to reduce the County's operating expenses. District 2 (HF)

6. REGULAR AGENDA

C. FACILITIES DEVELOPMENT & OPERATIONS

1. [Staff recommends motion to approve:](#) a Developer and Operator Agreement with the West Palm Beach Housing Authority (WPBHA) for the development, ownership and operation of a small lot housing pilot project upon 1.36 acres of County owned real property fronting Military Trail and Clemens Street in western Lake Worth Beach. **SUMMARY:** On September 26, 2017, the Board of County Commissioners (Board) authorized staff to prepare a Request For Proposals (RFP) for the development of approximately 20 small lot homes as a test case for the viability of a small lot form of development upon the property formerly occupied by the Tax Collector in western Lake Worth Beach. Said pilot project is currently referred to as the Cottage Homes. On February 26, 2019, during a Workshop meeting, the Board further endorsed the Cottage Homes project as one of the four sequential steps included as part of the Board-approved Infrastructure Sales Tax (IST) Project Plan for the delivery of housing units for homeless, extremely low, very low and low income individuals, which carries a total funding allocation of \$25.5M. The Cottage Homes project was assigned to be the first of such projects with the intent to service families experiencing homelessness. Direction was given at that time to proceed with issuance of an RFP to all local Housing Authorities offering to convey ownership of the property and provide up to \$3,973,000 of IST funding to accomplish the development of the project. The WPBHA was the sole respondent to the RFP and proposes to improve the property with 17 detached housing structures, a structure to serve as a neighborhood center, ancillary parking facilities, and other customary site improvements. The WPBHA will serve as the developer and contractor (WPBHA is licensed to perform construction under the Florida Statutes). The 17 housing units will be distributed amongst three different layouts, six 2-bedroom/1-bathroom units, six 2-bedroom/2-bathrooms units, and five 3-bedroom/2-bathrooms units; with square footage ranging from 981 to 1,200. Due to the use of IST funds, the property and improvements must always remain in public ownership and as a result, all units will be rental with maximum gross monthly rents for the first year ranging from \$598 to \$730, and maximum continued occupancy by any given tenant of 24 months. The proposal has been unanimously endorsed by a Selection Committee comprised of County representatives, and staff recommends approval of the Agreement between the County and WPBHA. **The funding source for project design, permitting and construction is from the Infrastructure Sales Tax Fund.** Any remaining IST funds upon construction completion would remain available to WPBHA for future application toward capital renewal/replacement needs. IST funds can only be used for capital improvements and cannot be used for operational costs. All operating costs but for water/sewer utility services would be at the expense of WPBHA. The eventual conveyance would be at no charge to WPBHA and subject to a restriction to government use, operation and maintenance for housing of low, very low and extremely low income residents. As an intergovernmental conveyance of real property, review by the Property Review Committee will not be required. The resolution authorizing conveyance and the corresponding County Deed will be brought to the Board as a separate item for approval once the WPBHA meets the requirements for conveyance as set for under the Agreement that is, obtaining all required permits and approvals for construction. The WPBHA will have until September 13, 2021 to complete the design and permitting process, with an estimated 340 days needed for construction. Opening of the facility is expected in early FY23. The Developer and Operator agreement is exempt from the County’s Equal Business Opportunity (EBO) Program. (FDO ADMIN) District 2/Countywide (MWJ)

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**RECESS AS THE BOARD OF COUNTY COMMISSIONERS**

**CONVENE AS THE CHILD CARE FACILITIES BOARD**

**7. BOARD OF COUNTY COMMISSIONERS SITTING AS THE CHILD CARE FACILITIES BOARD**

**A. HEALTH DEPARTMENT**

1. **Staff recommends motion to approve:** the appointment of one member to the Child Care Advisory Council to fill the position representing the Florida Department of Children and Families. The position was vacated by Sandra Medlicott.

<u>SEAT #</u>	<u>NOMINEE:</u>	<u>REQUIREMENT:</u>	<u>Term</u>	<u>NOMINATED BY:</u>
7	Mark Holsapfel	Represents Florida Department of Children and Families	01/08/20 to 01/07/23	Vice-Mayor Weinroth Commissioner Sachs Commissioner Weiss

**SUMMARY:** The Child Care Advisory Council is comprised of seven members who serve at the pleasure of the Board of County Commissioners. Members must consist of two members who represent and operate private child care facilities in Palm Beach County, one of whom operates a family day care home or large family child care home; one member who represents and operates a parochial child care facility in Palm Beach County; one consumer protection enforcement official; one member for fire protection, engineering or technology; one member who, at the time of appointment, was the parent of a child attending a child care facility in Palm Beach County; and one representative from the Florida Department of Children and Families. The applicant for appointment to Seat 7, Mark Holsapfel, works for the Florida Department of Children and Families and is a Caucasian male. The diversity count for the six seats currently filled is one African-American male (21.3%), one African-American female (21.3%), and four Caucasian females (57.4%). The gender ratio (female:male) is 5:1. Countywide (HH)

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**ADJOURN AS THE CHILD CARE FACILITIES BOARD**

**RECOVENE AS THE BOARD OF COUNTY COMMISSIONERS**

JANUARY 12, 2021

8. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

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9. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

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

B. COUNTY ATTORNEY

**10. COMMISSIONER COMMENTS**

**District 1 – COMMISSIONER MARIA G. MARINO**

Request for off-site Proclamation Recognizing the 35<sup>th</sup> Anniversary of the Edna W. Runner Tutorial Center

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

Certificate of Congratulations to Marie Siliato turning 100 on January 19, 2020.

**District 3 – COMMISSIONER DAVE KERNER**

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

**District 5 - COMMISSIONER MARIA SACHS**

**District 6 - COMMISSIONER MELISSA MCKINLAY**

Request for off-site Proclamation declaring January 2021 as Fire Fighter Cancer Awareness Month in Palm Beach County

Request for off-site Proclamation declaring January 2021 as Human Trafficking Prevention Month in Palm Beach County

Request for off-site Proclamation Honoring the 25<sup>th</sup> Anniversary of the Village of Wellington's Incorporation

**District 7 – COMMISSIONER MACK BERNARD**

JANUARY 12, 2021

11. MATTERS BY THE PUBLIC – 2:00 P.M.

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**12. 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."